

Kerala High Court

Pankajakshi vs State Of Kerala Rep.By Public ... on 22 June, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 3352 of 2009()

1. PANKAJAKSHI,D/O.NARAYANI,KUNNUMPURATHU
... Petitioner

Vs

1. STATE OF KERALA REP.BY PUBLIC PROSECUTOR
... Respondent

For Petitioner :SRI.T.A.UNNIKRISHNAN

For Respondent : No Appearance

The Hon'ble MR. Justice K.T.SANKARAN

Dated :22/06/2009

O R D E R

K.T.SANKARAN, J.

B.A.No.3352 of 2009

Dated this the 22nd day of June, 2009

ORDER

This is an application for bail under Section 439 of the Code of Criminal Procedure. The petitioner is the accused in Crime No.34 of 2008 of Nedumangad Excise Range.

2. The offences alleged against the petitioner are under Sections 8(1) and (2) of the Abkari Act.

3. The prosecution case is that on 15.5.2008, the petitioner was found in possession of 3 litres of illicit arrack. The petitioner was arrested in connection with another case on 5.6.2009. Her arrest

was recorded in the present case on 10.6.2009. The petitioner is continuing in judicial custody, though she was released on bail in the other case.

4. Taking into account the facts and circumstances of the case, the duration of the judicial custody undergone by the petitioner, the nature of the offence and the present stage of investigation, I am of the view that bail can be granted to the petitioner.

5. The petitioner shall be released on bail on her executing bond for Rs.25,000/- with two solvent sureties for the like amount to the satisfaction of the Judicial Magistrate of the First Class-II, Nedumangad, subject to the following conditions:

- a) The petitioner shall report before the investigating officer between 9 A.M. and 11 A.M. on all Mondays, till the final report is filed or until further orders;
- b) The petitioner shall appear before the investigating officer for interrogation as and when required;
- c) The petitioner shall not try to influence the prosecution witnesses or tamper with the evidence;
- d) The petitioner shall not commit any offence or indulge in any prejudicial activity while on bail;
- e) In case of breach of any of the conditions mentioned above, the bail shall be liable to be cancelled.

The Bail Application is allowed as above.

K.T.SANKARAN, JUDGE csl