

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 24TH DAY OF DECEMBER 2013/3RD POUSHA, 1935

Bail Appl..No. 8652 of 2013 ()

AGAINST THE ORDER IN CRMP 1670/2013 of D.C.& SESSIONS
COURT,PATHANAMTHITTA DATED 16-12-2013
CRIME NO. 64/2013 OF CHITTAR EXCISE RANGE OFFICE , PATHANAMTITTA

PETITIONER/ACCUSED:

RAJESH K.R. @ KUNJANY, AGED 36 YEARS
S/O.RAJAPPAN, KONDETHRAYIL HOUSE
CHITTAR - SEETHATHODU VILLAGE, RANNY TALUK
PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.V.SETHUNATH
SRI.S.JUSTUS

RESPONDENTS/COMPLAINANT/STATE:

-
1. THE EXCISE INSPECTOR,
EXCISE RANGE, RANNI, PIN-688662.
 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, PIN-682031.

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-12-2013,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.KEMAL PASHA, J.

.....
B.A. No.8652 of 2013
.....

Dated this the 24th day of December, 2013

O R D E R

~ ~ ~ ~ ~

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.64/2013 of Chittar Excise Range registered for the offences punishable under Sections 8(1) and (2) of the Abkari Act.

3. The allegation against the petitioner is that on 04.12.2013 at 11.45 a.m. he was found in possession of 2 litres of arrack and consequently he was arrested.

4. Heard learned counsel for the petitioner and learned Public Prosecutor. This is a case in which a small quantity of arrack is involved. The petitioner has been in custody for the period from 04.12.2013 onwards. No criminal antecedents have been reported against the petitioner. Considering the facts and circumstances of the

case and having regard to the period undergone by the petitioner in custody, I am of the view that the petitioner can be enlarged on bail.

5. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays, commencing from 31.12.2013 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the Investigating

Officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/24/12

// True Copy //

PA to Judge