

IN THE HIGH COURT OF KERALAAT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

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

Bail Appl..No. 8686 of 2013 ()

AGAINST THE ORDER IN CRMP 9381/2013 of J.M.F.C.,RANNI
CRIME NO. 106/2013 OF PAMPA POLICE STATION , PATHANAMTHITTA

PETITIONER/ACCUSED:

AKHIL, AGED 19 YEARS
S/O.OMANAKUTTAN, KUTTIMURUPPEL HOUSE, EDATHARAMUKKU
VADASSERIKKARA VILLAGE, PATHANAMTHITTA DIST.

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

RESPONDENT/COMPLAINANT:

1. SUB INSPECTOR
PAMPA POLICE STATION, PIN-689662
2. STATE OF KERALA
REP BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, PIN-682031

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

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.8686 of 2013
.....

Dated this the 24th day of December, 2013

O R D E R

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.106/2013 of Pamba Police Station registered for the offences punishable under Sections 55(a) and (i) of the Abkari Act and Section 188 of the Indian Penal Code.

3. The allegation against the petitioner is that on 30.11.2013 at 8.30 p.m. he was found in possession of 250 ml. of Indian Made Foreign Liquor near Pamba and Sabarimala and thereby the petitioner has committed the offences punishable under Sections 55(a) and (i) of the Abkari Act and Section 188 IPC.

4. Heard learned counsel for the petitioner and learned Public Prosecutor. The petitioner has been in

custody for the period from 30.11.2013 onwards. No criminal antecedents have been reported against the petitioner. Considering the facts and circumstances of the case, the small quantity of the contraband involved, 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 ₹50,000/- (Rupees fifty 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 enter the limits of Pamba

Police Station for a period of three months.

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

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

(v) 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

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PA to Judge