

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Bail Appl..No. 9140 of 2014

**CRIME NO. 145/2011 OF KARTHIKAPPALLY EXCISE RANGE OFFICE,
ALAPPUZHA DISTRICT**

PETITIONER(S)/ACCUSED (INCUSTODY) :

**MADHU, AGED 31 YEARS,
S/O.PRABHAKARAN, MADHU BHAVANAM, EVOOR THEKKU MURI,
PATHIYOOR VILLAGE, ALAPPUZHA DISTRICT-690 508.**

BY ADV. SRI.ARUN CHANDRAN

RESPONDENT(S)/STATE AND COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE EXCISE INSPECTOR,
KARTHIKAPPALLY EXCISE RANGE,
ALAPPUZHA DISTRICT-690 514.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-12-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.9140 of 2014
.....

Dated this the 30th day of December, 2014

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.145/2014 of Karthikappally Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 01.12.2014 at 5 p.m., he was found transporting 8.25 litres of IMFL in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 01.12.2014 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this case is practically over. The continued detention of the

petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of criminal antecedents on his part, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh 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 Fridays and Tuesdays, commencing from 02.01.2015 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/30/12

*// True Copy //*

*PA to Judge*