

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

Bail Appl..No. 279 of 2015 ()

CRIME NO. 85/2014 of KAZHAKKOOTTAM EXCISE RANGE, THIRUVANANTHAPURAM

PETITIONER/ACCUSED :

**ANI @ PALLAN ANI, AGED 42 YEARS,
S/O.SADASIVAN, CHIRAYIL VEEDU, MUNDAKKAL DESOM,
VELLOOR VILLAGE, THIRUVANANTHAPURAM TALUK
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.ASOK M.CHERIAN
SRI.T.R.RENJITH
SRI.R.ROHITH**

RESPONDENT/COMPLAINANT & THE STATE:

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT/LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

.....
B.A. No.279 of 2015

.....
Dated this the 23rd day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.85/2014 of the Kazhakkootam Excise Range, Thiruvananthapuram registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 23.11.2014 at 12.30 p.m., he was found engaged in selling Indian Made Foreign Liquor in contravention of the provisions of the Abkari Act, and a quantity of 1.800 litres of Indian Made Foreign Liquor was seized from his possession. The petitioner has been in custody from 23.11.2014 onwards.

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

5. The learned Public Prosecutor has pointed out that the petitioner is an accused in five other cases involving similar offences. Even though the petitioner has been in custody for the period from 23.11.2014 onwards, final report has not been filed so far in the matter. Matters being so, the petitioner is entitled to compulsive bail under Section 167(2) Cr.P.C.

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 30.01.2015 for a period of six months.

(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

ul/-

[True copy]

P.S. to Judge