

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

Bail Appl..No. 307 of 2015

CRIME NO. 213/2014 OF KARUNAGAPPALLY EXCISE RANGE OFFICE , KOLLAM

PETITIONER(S)/ACCUSED:

**REGHU, AGED 49 YEARS,
S/O.CHELLAPPAN, RATHEESH BHAVANAM,
MANAPPALLY THEKKUM MURI, PAVUMBA VILLAGE
KARUNAGAPPALLY.**

**BY ADVS.SRI.K.SIJU
SRI.S.ABHILASH**

RESPONDENT(S):

**STATE OF KERALA
THROUGH THE EXCISE INSPECTOR OF POLICE
KARUNAGAPPALLY EXCISE RANGE,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKAULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B. KEMAL PASHA, J.

.....
B.A. No.307 2015
.....

Dated this the 12th day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.213/2014 of Karunagappally Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 28.12.2014 at 7.45 p.m., he was found engaged in the sales of IMFL, in contravention of the provisions of the Abkari Act, and a quantity of 2.800 litres of IMFL was seized from him. The petitioner has been in custody for the period from 28.12.2014 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 involved in four other crimes of similar

nature. Having regard to the period undergone by the petitioner in custody, I am of the view that the petitioner can be enlarged on bail in this case also as a last chance.

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 Thursdays and Mondays commencing from 19.02.2015 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)**

aks/12/02

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*PA to Judge*