

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

Bail Appl..No. 477 of 2015

CRIME NO. 36/2015 OF VANCHIYOOR POLICE STATION , THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED:-:

**LALITHA, AGED 58 YEARS
D/O.CHELLAMA, TC 27/1, THOTTUVAMBIL VEEDU
PATTOOR, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SRI.SANDEEP T.GEORGE**

RESPONDENT(S)/COMPLAINANT:-:

**STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.477 of 2015

.....
Dated this the 18th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.36/2015 of the Vachiyoor Police Station, Thiruvananthapuram registered for the offence punishable under Section 55(a) and (i) of the Abkari Act.

3. The allegation against the petitioner is that on 09.01.2015 at 10.40 a.m., she was found in possession of 3.5 litres of Indian Made Foreign Liquor at her house, in contravention of the provisions of the Abkari Act, for retail sales. The petitioner has been in custody for the period from 09.01.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor. Perused the CD.

5. Petitioner is an aged woman. The learned Public Prosecutor has pointed out that the petitioner is also involved in 12 other similar cases, for which crimes were registered. The learned counsel for the petitioner has pointed out that there is nobody to look after and maintain the poor woman and that is the reason why she was engaged in such activities. Considering the period undergone by the petitioner in custody, the present stage of investigation and the facts and circumstances, and the situation in which she is placed, I am of the view that, as a last chance, the petitioner can be enlarged on bail in this case also.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on her 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 Wednesdays and Saturdays commencing from 25.02.2015 for a period of six months.

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

(iii) The petitioner shall make herself 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