

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

Bail Appl..No.550 of 2015

(CRIME NO.7/2015 OF KARUNAGAPPALLY EXCISE RANGE OFFICE,KOLLAM).

....

PETITIONER/ACCUSED:

**ANIL KUMAR,AGED 48 YEARS,
S/O.KARUNAKARAN PILLAI,
AMBIKASADANAM,PULIYUR VANCHI,
THEKKUM MURI,KALLELIBHAGAM VILLAGE,
KARUNAGAPPALLY TALUK,KOLLAM DISTRICT.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENT/STATE:

**STATE OF KERALA,REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

B.A.No.550 of 2015 C

Dated this the 24th day of February 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.7/2015 of Karunagappally Excise Range, Kollam district registered for the offences punishable under Sections 55(a) and (i) and 67B of the Abkari Act.

3. The allegation against the petitioner is that on 10.1.2015 at 4 p.m., he was found in possession of 7.5 litres of Indian Made Foreign Liquor, in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 10.1.2014 onwards.

4. Heard learned counsel for the petitioner and the learned

Public Prosecutor.

5. The learned Public Prosecutor has pointed that the petitioner has got two criminal antecedents of similar nature on his part, as he is involved in an Abkari case in 2007 and another case in 2009. At the same time, in both the said cases, he was not convicted. The investigation of this case is practically over. Having regard to the period undergone by the petitioner in custody and the present stage of investigation, 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 Rs.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 am and 11 am on all

Tuesdays and Fridays, commencing from 3.3.2015 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

dl

// True Copy //

PA to Judge