

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

Bail Appl..No. 714 of 2015

CRIME NO. 75/2014 OF BEDIDUKA EXCISE RANGE OFFICE , KASARGOD

PETITIONER(S)/ACCUSED:

**MANIKANTA.N.A, AGED 29 YEARS,
S/O. LATE ADRU, RESIDING AT NELLİYADI HOUSE, NARAMPADY
KARADKA VILLAGE, KASARAGOD TALUK, KASARAGOD DISTRICT.**

BY ADV. SRI.T.MADHU

RESPONDENT(S)/STATE:

**THE STATE OF KERALA
THROUGH THE EXCISE RANGE OFFICER
BADIADKA EXCISE RANGE, KASARAGOD DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

B.A.No.714 of 2015 D

Dated this the 10th day of February 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.75/2014 of Badiadka Excise Range, Kasaragod district registered for the offence punishable under Section 58 of the Abkari Act.

3. The allegation against the petitioner is that on 29.12.2014 at 4 p.m., he was found in possession of 4 bottles, each containing 750 m.l. of Indian Made Foreign Liquor, meant for sale in State of Karnataka only, in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 29.12.2014 onwards.

4. Heard learned counsel for the petitioner and the learned

Public Prosecutor.

5. It seems that the petitioner is involved in another Abkari case also, registered for the same offence. The investigation of this case is practically over. Continued detention of the petitioner in custody is not required for the continued investigation of the case. Having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am of the view that the petitioner can be enlarged on bail, as a last chance, in this case also.

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 17.2.2015 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

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PA to Judge