

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. 846 of 2015 ()

CRIME NO. 15/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM.

.....

PETITIONER/ACCUSED:

**RAJAN, S/O.VELUMBAN, AGED 62 YEARS,
HOUSE NO.T.P.XVIII/505, KALLELI BHAGAM MURI,
KALLELI BHAGAM VILLAGE, KARUNAGAPPALLY TALUK.**

**BY ADVS.SRI.M.R.SASITH,
SMT.R.K.CHIRUTHA.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE,
KARUNAGAPPALLY - 690 001.**

BY PUBLIC PROSECUTOR SRI.SREEJITH. V.S.

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

rs.

B.KEMAL PASHA, J.

.....
B.A. No.846 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.15/2015 of the Karunagappally Excise Range Office, Kollam registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 01.02.2015 at 10.00 a.m., he was found engaged in selling Indian Made Foreign Liquor, in contravention of the provisions of the Abkari Act, and a quantity of 800 ml of IMFL was seized from his possession. The petitioner has been in custody for the period from 01.02.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor. Perused the CD.

5. No criminal antecedents have been reported against the petitioner. Investigation of this case is practically over. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and in the absence of any criminal antecedents on his part, I am of the view 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 ₹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 three months or till the filing of the final report in this case, whichever is earlier.

(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