

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Bail Appl..No. 884 of 2015

CRIME NO. 11/2015 OF ARYANAD EXCISE RANGE OFFICE , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED:

**VIJAYAMMA, AGED 47 YEARS,
D/O.EMILI, ROADARIKATHU VEEDU
KP III/300TH NUMBER HOUSE, SAMBUTHANGI
SAMBUTHANGI DESOM, MANOORKKARA VILLAGE
KATTAKKADA TALUK.**

BY ADV. SRI.P.ANOOP (MULAVANA)

RESPONDENT(S):

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B. KEMAL PASHA, J.

.....
B.A. No.884 of 2015
.....

Dated this the 4th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.11/2015 of Aryanad Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 03.02.2015 at 4.40 p.m., she was found engaged in selling IMFL in contravention of the provisions of the Abkari Act and a quantity of 2.350 litres of IMFL of different variety was seized from her possession. The petitioner has been in custody for the period from 03.02.2015 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 the accused in a similar offence. The

learned counsel for the petitioner has pointed out that the arrest of the petitioner in the other crime was formally recorded while she was undergoing detention in this case. It seems that the investigation of this case is practically over. The petitioner is a woman. The continued detention of the petitioner in custody is not required for the continued investigation of this case. 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 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 11.03.2015 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 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)**

aks/04/03

*// True Copy //*

*PA to Judge*