

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Bail Appl..No. 885 of 2015 ()

CRIME NO. 5/2015 OF ADOOR POLICE STATION, PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED :

**OMANA, AGED 52 YEARS, W/O.BHASKARAN,
PRAKASH BHAVANAM, MUNDAPPALLY MURI,
PERINGANADU VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

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

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B. KEMAL PASHA, J.

.....
B.A. No.885 of 2015
.....

Dated this the 3rd 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.5/2015 of Adoor Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 06.01.2015 at 7 p.m., she was found engaged in selling IMFL at her house, and a quantity of 14.730 litres of IMFL was seized from her possession. The petitioner has been in custody for the period from 06.01.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. The learned Public Prosecutor has reported that

the petitioner is involved in 11 other abkari cases earlier. Having regard to the period undergone by the petitioner in custody and the fact that the petitioner is a woman, I am of the view that, as a last chance, she can be given one more opportunity in this case by enlarging her on bail on conditions.

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 Tuesdays and Fridays commencing from 10.03.2015 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)

aks/03/03

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PA to Judge