

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Bail Appl..No. 1309 of 2015 ()

CRIME NO. 26/2015 OF ADOOR EXCISE RANGE,PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED:

**BALAKRISHNAN, AGED 49 YEARS,
S/O.BHASKARAN, KANJIRAVILAYIL VEEDU,
KADAMANKUZHI, POOTHAMKARA.**

**BY ADVS.SRI.M.MANOJ KUMAR
SMT.L.SMITHARAJ**

RESPONDENT/COMPLAINANT:

**THE 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 11-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

B.KEMAL PASHA, J.

B.A.No.1309 of 2015 C

Dated this the 11th day of March 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.26/2015 of Adoor Excise Range registered for the offences punishable under Sections 8(1) and (2) of the Abkari Act.

3. The allegation against the petitioner is that on 8.2.2015 at 7.30 p.m., he was found in possession of 20 litres of arrack, in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 8.2.2015 onwards.

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

5. It seems that the investigation is practically over. No

criminal antecedents have been reported against the petitioner. 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, the present stage of investigation and the absence of criminal antecedents on the part of the petitioner, 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 ₹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 Wednesdays and Saturdays commencing from 18.3.2015 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

dl

// TRUE COPY //

PA to Judge