

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

Bail Appl..No.1387 of 2015

(CR NO.10/2015 OF CHITTAR EXCISE RANGE OFFICE,PATHANAMTITTA).

...

PETITIONER/1ST ACCUSED:

**MOHANAN,AGED 48 YEARS,S/O.NARAYANAN,
PARAYIL KIZHAKKETHIL HOUSE,THALACHIRA,
VADASSERIKKARA VILLAGE,RANNI TALUK,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.V.SETHUNATH
SRI.V.R.MANORANJAN (MUVATTUPUZHA)**

RESPONDENTS/COMPLAINANT/STATE:

- 1. EXCISE INSPECTOR,CHITTAR EXCISE RANGE,
PATHANAMTHITTA DISTRICT-689 642.**
- 2. STATE OF KERALA,REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

.....
B.A. No.1387 of 2015

.....
Dated this the 24th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1st accused in C.R. No.10/2015 of the Chittar Excise Range, Pathanamthitta registered for the offences punishable under Sections 8(1) and (2) of the Abkari Act.

3. The allegation against the petitioner and the other accused is that on 01.03.2015 at 11.30 a.m., they were found in possession of 2.5 litres of arrack, in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 01.03.2015 onwards.

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

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 Tuesdays and Fridays commencing from 31.03.2015 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 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