

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

Bail Appl..No. 1412 of 2015

CRIME NO. 105/2014 OF ARYANAD EXCISE RANGE OFFICE , THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED:

**VIJAYAMMA, AGED 47 YEARS
D/O.EMILI, ROADARIKATHU VEEDU
KP 11/300TH 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 18-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.1412 of 2015

.....
Dated this the 18th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.105/2014 of the Aryanad Excise Range, Thiruvananthapuram registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 17.12.2014 at 7.00 p.m., she was found engaged in selling Indian Made Foreign Liquor, in contravention of the provisions of the Abkari Act, and a quantity of 5.800 ml of IMFL was seized from her possession. The petitioner has been in custody for the period from 11.02.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor. Perused the CD.

5. It is true that the petitioner is also involved in another Abkari offence and while undergoing detention in that case her arrest has been formally recorded in this case. She was granted bail in the other case. In this case, investigation is over and final report has already been filed. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering all the above, I am of the view that in this case also the petitioner can be enlarged on bail, as a last chance.

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 25.03.2015 for a period of three 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

ul/-

[True copy]

P.S. to Judge