

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

Bail Appl..No. 1479 of 2015 ()

CRIME NO. 19/2015 OF NEELESWARAM EXCISE RANGE OFFICE , KASARGOD

PETITIONER/ACCUSED:

**SATHEESAN K. AGED 29 YEARS
S/O. PIYOOS,
MAVILA KADAPPURAM,
AMBEDKAR COLONY,
ORIYARA,
VALIYAPARAMBIL VILLAGE,
HOSDURG TALUK,
KASARGOD DISTRICT.**

BY ADV. SRI.A.ARUNKUMAR

RESPONDENTS/COMPLAINANT /STATE:

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682 150**
- 2. THE STATION HOUSE OFFICER
(C.R. NO.19 OF 2015 OF NILESHWAR EXCISE RANGE
KASARGOD DISTRICT) 671 315**

R1 AND R2 BY PUBLIC PROSECUTOR SMT LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

vmr.

B.KEMAL PASHA, J.

.....
B.A. No.1479 of 2015

.....
Dated this the 20th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.19/2015 of the Nileshwar Excise Range, Kasaragod registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 25.02.2015 at 7 p.m., he was found engaged in the sale of of Indian Made Foreign Liquor, in contravention of the provisions of the Abkari Act, and a quantity of 7.5 litres of IMFL was seized from his possession. The petitioner has been in custody from 25.02.2015 onwards.

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

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 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 Fridays and Tuesdays commencing from 27.03.2015 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