

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

Bail Appl..No.1528 of 2015

(CRIME NO.36/2015 OF VADAKARA EXCISE RANGE OFFICE,KOZHIKODE).

...

PETITIONERS/ACCUSED NO.1 AND 2:

1. **SREELESHL,S/O.MANOCHARAN,AGED 22 YEARS,
NALILAKARATHIL HOUSE,
AYYITTAVALAPPIL DESOM,MAHE.**
2. **DILEEP,S/O.MOHANAN,AGED 24 YEARS,
MOHANADEEPAM HOUSE,AYYITTAVALAPPIL DESOM,
MAHE**

BY ADV. SMT.KLASITHA

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

.....
B.A. No.1528 of 2015

.....
Dated this the 23rd day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.1 and 2 in Crime No.36/2015 of the Vatakara Excise Range, Kozhikode registered for the offences punishable under Sections 58 and 67B of the Abkari Act.

3. The allegation against the petitioners is that on 27.02.2015 at 6.30 p.m., they were found transporting 18 litres of Indian Made Foreign Liquor, by a scooter, in contravention of the provisions of the Abkari Act. The petitioner has been in custody from 27.02.2015 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 petitioners. Investigation of this case is practically over. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of any criminal antecedents on their part, I am of the view that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each 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 petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Mondays and Thursdays commencing from 30.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

(iv) The petitioners 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