

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937**

**Bail Appl..No. 1567 of 2015**  
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**CRIME NO. 32/2015 OF KARUNAGAPPALLY EXCISE RANGE OFFICE , KOLLAM**  
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**PETITIONER(S)/PETITIONER:**  
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**RAGINI, AGED 48 YEARS  
W/O. RADHAKRISHNAN, VIZHNU BHAVANAM,  
AADHINADU SOUTH,  
KARUNAGAPPALLY, KOLLAM.**

**BY ADV. SRI.R.RAJESH(PULLIKADA)**

**RESPONDENT(S)RESPONDENT/COMPLAINANT &STATE:**  
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- 1. STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE EXCISE INSPECTOR,  
EXCISE RANGE OFFICE, KARUNAGAPPALLY,  
KOLLAM DISTRICT.**

**BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-03-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**B.KEMAL PASHA, J.**

.....  
B.A. No.1567 of 2015

.....  
Dated this the 26<sup>th</sup> day of March, 2015

**ORDER**

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.32/2015 of the Karunagappally Excise Range, registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 08.03.2015 at 10.30 a.m., she was found engaged in selling Indian Made Foreign Liquor, in contravention of the provisions of the Abkari Act, at the veranda of her house and a quantity of 700 ml of IMFL was seized from her possession. The petitioner has been in custody for the period from 08.03.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor. Perused the CD.

5. It is pointed out that the petitioner is also involved in two other Abkari cases, one in the year 2007 registered as Crime No.152/2007 and the other in the year 2008 registered as Crime No.130/2008. Here is a case wherein only a small quantity of contraband is involved. Investigation of this case is over. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the period undergone by the petitioner in custody, I am of the view that in this case the petitioner can be enlarged on bail in this case also 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 Thursdays and Mondays commencing from 02.04.2015 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 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