

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

Bail Appl..No. 1570 of 2015

CRIME NO. 37/2004 OF KARTHIKAPPALLY EXCISE.

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PETITIONER:

**RENJITH, AGED 35 YEARS, (PRESENTLY IN CUSTODY),
S/O.PRASANNAKUMARA KURUP,
CHATHERIKOICKAL VEETIL,
VADAKKERKKARA KIZHAKKUMURI,
PALLIPAD VILLAGE, KARTHIKAPPALLY.**

**BY ADVS.SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND**

RESPONDENT:

**THE STATE OF KERALA,
REPRESENTED BY THE CI EXCISE,
HARIPAD, KARTHIKAPPALLY EXCISE,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA - 682 031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

B.A.No.1570 of 2015

Dated this the 6th day of April 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.248/2012 pending before the Additional Sessions Court-III, Alappuzha for the offence punishable under Section 55(a) of the Abkari Act.

3. This is a case wherein a quantity of 6475 litres of spirit was seized. Originally the petitioner was the second accused in the crime. In the crime stage, he was granted bail by this Court. It seems that later he absconded. Again, bail was granted. Once again, he absconded and the matter was entered in the L.P. Register. It seems that he has surrendered on 7.3.2015.

4. Heard learned counsel for the petitioner and the learned

Public Prosecutor.

5. It is true that twice he has jumped the bail. At the same time, presently he has been in custody for the period from 7.3.2015 onwards. Having regard to the period undergone by the petitioner in custody, I am of the view that as a last chance, he can be enlarged on bail on strict conditions.

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 Court below, and subject to the following terms and conditions:-

(i) Both the sureties shall produce a bond for ₹50,000/- (Rupees fifty thousand only) each.

(ii) The petitioner shall appear before the Sheristadar of the District and Sessions Court, Alappuzha at 10 a.m., on all Mondays and Thursdays, commencing from 13.4.2015, till the disposal of this case.

(iii) The petitioner shall not tamper with the evidence or influence witnesses.

(iv) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(v) 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

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PA to Judge