

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

Bail Appl..No. 1700 of 2015

CRIME NO. 96/2015 OF VYTHIRI POLICE STATION, WAYANAD

PETITIONER(S)/ACCUSED :

**VIJESH, AGED 32 YEARS,
S/O.JANARADHANAN, KODIYANGAL HOUSE, VYTHIRI POST,
VYTHIRI TALUK, WAYANAD DISTRICT.**

BY ADV. SRI.P.K.VARGHESE

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.1700 of 2015
.....

Dated this the 1st day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.96/2015 of Vythiri Police Station registered for the offence punishable under Section 55(a) of the Abkari Act.

3. The allegation against the petitioner is that on 03.03.2015 at 7.30 p.m., he was found in possession of 500 ml. of arrack in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 04.03.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this case is practically over. The continued detention of the

petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied 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 Wednesdays and Saturdays commencing from 08.04.2015 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 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)

aks/01/04

//True copy//

PA to Judge.