

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

**PRESENT:**

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

**THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937**

**Bail Appl..No. 1791 of 2015 ()**

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**CRIME NO. 31/2015 OF MANNARKKAD EXCISE RANGE, PALAKKAD DISTRICT.**

**.....**

**PETITIONERS/ACCUSED:**

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- 1. AJOMON, S/O.JOY, AGED 25 YEARS,  
CHATHANPARA HOUSE, AGALI,  
MANNARKKAD TALUK, PALAKKAD DISTRICT.**
- 2. ANEESH, S/O.BABU,  
AGED 31 YEARS, AJITHA NIVAS, CHITTOOR,  
AGALI, MANNARKKAD TALUK, PALAKKAD DISTRICT.**

**BY ADV. SRI.BABU S. NAIR.**

**RESPONDENTS/STATE & COMPLAINANT:**

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- 1. THE STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.**
- 2. THE EXCISE INSPECTOR,  
MANNARKKAD EXCISE RANGE,  
PALAKKAD DISTRICT, PIN- 678 582.**

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

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 09-04-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**B.KEMAL PASHA, J.**

.....  
B.A. No.1791 of 2015

.....  
Dated this the 9<sup>th</sup> day of April, 2015

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.31/2015 of the Mannarkkad Excise Range, Palakkad, registered for the offences punishable under Sections 55(a) and (i) of the Abkari Act.

3. The allegation against the petitioners is that on 09.03.2015, they were found transporting 85 litres of Indian Made Foreign Liquor by a car, in contravention of the provisions of the Abkari Act. The first petitioner has been in custody for the period from 09.03.2015 onwards and the second petitioner has been in custody for the period from 10.03.2015 onwards.

4. Heard learned counsel for the petitioners 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 Thursdays and Mondays commencing from 16.04.2015 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