

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. 1830 of 2015

CRIME NO. 35/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM DISTRICT

PETITIONER(S)/ACCUSED :

**VIKRAMAN, AGED 47 YEARS,
S/O.KUMARAN, R/AT SADHYA BHAVANAM,
PAVUMBA VADAKKU MURI, PAVUMBA VILLAGE,
KARUNAGAPPALLY TALUK, KOLLAM DISTRICT.**

BY ADV. SRI.A.AHZAR

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
THROUGH THE EXCISE INSPECTOR,
KARUNAGAPPALLY EXCISE RANGE,
REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERAKULAM.**

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:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.1830 of 2015
.....

Dated this the 6th 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.35/2015 of Karunagappally Excise Range registered for the offences punishable under Sections 8(1) and (2) of the Abkari Act.

3. The allegation against the petitioner is that on 12.03.2015 at 12.10 p.m., he was found in possession of 5 litres of arrack, in contravention of the provisions of the Abkari Act. The petitioner has been in custody for the period from 12.03.2015 onwards.

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

5. Learned Public Prosecutor has pointed out that the petitioner is involved in one crime of similar nature in 2007. 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 Mondays and Thursdays commencing from 13.04.2015 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/06/04

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PA to Judge