

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. 1851 of 2015 ()

CRIME NO. 106/2015 OF MEENANGADI POLICE STATION, WAYANAD DISTRICT

PETITIONER(S)/ACCUSED NOS. 1 AND 2:

- 1. SUBRAMANIAN, AGED 50 YEARS,S/O.VELAYUDHAN,
VAYALIL HOUSE, AREEKODE POST,
MALAPPURAM DISTRICT.**
- 2. GIREESH KUMAR, AGED 43 YEARS,
S/O.RAGHAVAN, KARUVILASSERY, KOTTAMURI POST,
THRISSUR DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT:

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

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:**

sts

B.KEMAL PASHA, J.

.....
B.A. No.1851 of 2015

.....
Dated this the 9th day of April, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A1 and A2 in Crime No.106/2015 of the Meenangadi Police Station, Wayanad, registered for the offences punishable under Sections 55(a), 55B and 57 (a) of the Abkari Act.

3. The allegation against the petitioners and the other accused is that on 11.03.2015 at 04.15 p.m. they were found keeping in their possession 10 litres of spirit at a toddy godown and they have kept the same for the purpose of mixing it with toddy. The petitioners have been in custody for the period from 12.03.2015 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