

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

Bail Appl.No. 1976 of 2015

CRIME NO. 18/2015 OF EXCISE RANGE OFFICE, CHALAKKUDY
.....

PETITIONER(S)/ACCUSED:

**RAJU, S/O.AYYAPPANKUTTY,
KATTUPARAMBIL HOUSE, PARAKKUTOM DESOM,
ANNALLUR VILLAGE, CHALAKKUDY TALUK.**

**BY ADVS.SRI.D.NARENDRANATH
SRI.M.HARISHARMA**

RESPONDENT(S)/STATE:

**STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI - 682 031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B. KEMAL PASHA, J.

.....
B.A. No.1976 of 2015
.....

Dated this the 10th 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.18/2015 of Chalakkudy Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 12.03.2015 at 6.30 a.m., he was found engaged in selling IMFL in contravention of the provisions of the Abkari Act and a quantity of 1.250 litres of IMFL was seized from his possession. 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. The learned Public Prosecutor has pointed out that the petitioner is an accused in another abkari case also.

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. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the small quantity of contraband involved in this case, 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 Fridays and Tuesdays, commencing from 17.04.2015 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/10/04

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PA to Judge