

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Bail Appl..No. 2097 of 2015

CRIME NO. 209/2014 OF KOLLAM EXCISE RANGE OFFICE , KOLLAM

PETITIONERS/ACCUSED 1 AND 2:

1. RAJAN, AGED 50 YEARS
S/O.BHASKARAN, THADAVILA PUTHEN VEEDU,
PERUMPUZHA CHERRY, ELAMPALLOOR VILLAGE, KOLLAM.
2. ANILKUMAR, AGED 47 YEARS,
S/O. NATARAJAN, ASHOKA BHAVANAM, AYATHIL,
VADAKKEVILA VILLAGE, KOLLAM.

BY ADV. SRI.B.MOHANLAL

RESPONDENT/COMPLAINANT:

**STATE,
REPRESENTED BY THE EXCISE RANGE INSPECTOR,
EXCISE RANGE OFFICE, KOLLAM,
KOLLAM DISTRICT THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2097 of 2015

Dated this the 27th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 57(a) and 56(b) of the Abkari Act.

3. A sample of toddy taken from the toddy shop conducted by them was found to contain saccharin. The learned counsel submits that the second sample is yet to be sent and the petitioners may be granted anticipatory bail.

4. Heard.

5. The prosecution has no case that the toddy contained any noxious substance; only saccharin was detected by the analyst. The second sample is yet to be analysed. Having regard to these facts I am inclined to grant the prayer of the petitioners for anticipatory bail.

In the result, this application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.Twenty five

thousand each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) They shall not destroy or tamper with evidence.

4) Petitioners shall not commit similar offences while they are on bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge

