

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Bail Appl..No. 2198 of 2015

CRIME NO. 35/2013 OF ERNAKULAM EXCISE RANGE

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

- 1. PURUSHOTHAMAN, AGED 55 YEARS,
S/O.UTHAMAN, SASTHAPARAMBIL HOUSE, NAYARAMBALAM DESOM,
NAYARAMBALAM VILLAGE, KOCHI TALUK.**
- 2. KUNJIRAMAN, AGED 62 YEARS,
S/O.NARAYANAN, THOOSATH HOUSE, THANNIPPADAM DESOM,
NORTH PARAVUR VILLAGE, ERNAKULAM DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

.....
B.A. No. 2198 of 2015(D)
.....

Dated this the 26th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioners are accused 1 & 2 in C.R. No. 35 of 2013 of Ernakulam Excise Range Office registered for the offences under section 57(a) of the Abkari Act. The sample of toddy taken from the toddy shop run by the petitioners revealed the presence of starch.

3. Heard.

4. Learned counsel submits that the chemical analysis did not disclose presence of any noxious substance in the toddy. Annexure-A is the certificate. Having regard to this facts, I am inclined to grant the prayer of the petitioners.

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 only 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.

In case of violation of any of the above conditions, the learned

B.A. No. 2198 of 2015(D)

::2::

Magistrate is empowered to cancel the bail in accordance with the law.

DST

Sd/-
K. ABRAHAM MATHEW
JUDGE

//True Copy//

P.A. To Judge