

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Bail Appl.No. 2486 of 2015

CRIME NO. 120/2014 OF PONNANI EXCISE RANGE, MALAPPURAM
.....

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

- 1. PRESANNAN, AGED 50 YEARS,
S/O.PADMANABHAN, ACHUTHANPARAMBIL HOUSE,
KOTTATHARA DESOM, EEZHUVATHIRUTHY VILLAGE,
PONNANI TALUK.**
- 2. KUMARAN, AGED 60 YEARS,
S/O.AYYAPPAN, KURUMBOOR VEEDU, KALLOORMA DESOM,
NANNAMUKKU VILLAGE, PONNANI TALUK.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.REJI JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.2486 of 2015

Dated this the 12th day of May, 2015

ORDER

Petitioners are alleged to have committed the offences under Sections 57(a) and 56(b) of the Abkari Act. The allegation is that, examination of the sample taken from the toddy shop run by them, the presence of starch was noticed in the toddy.

2. Heard.

3. The learned counsel for the petitioners submits that no noxious substance was present in the sample.

4. I am satisfied that the nature of the case does not demand custodial interrogation of the petitioners.

5. In the result, this application is allowed.

i) The petitioners shall be released on bail after interrogation on they executing a bond for Rs.25,000/- each with two solvent sureties for the like sum each, if they are arrested by the Police in connection with this

case.

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

iii) They shall not destroy or tamper with evidence.

iv) 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**

sp