

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. 2489 of 2015 ()

CRIME NO. 119/2014 OF PONNANI EXCISE RANGE, MALAPPURAM DISTRICT.
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PETITIONER(S)/ACCUSED NOS. 1 & 2:

- 1. VELAYUDHAN, AGED 52 YEARS,
S/O.KARAPPAN, PALACKAL HOUSE,
ERAVAKKADU DESOM, KAPPUR VILLAGE,
PATTAMBI, PALAKKAD DISTRICT.**
- 2. SAJEEVAN C.K., AGED 50 YEARS,
S/O.KRISHNAN NAIR, CHAKKALAKUZHIYIL HOUSE,
KADAVELLOOR AMSOM, THALAPPILLY TALUK.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/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:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.2489 of 2015

Dated this the 12th day of May, 2015

O R D E R

Petitioners are alleged to have committed the offences under Sections 57(a) and 56(b) of the Abkari Act. The allegation is that, in the 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 their executing a bond for Rs.25,000/- each with two solvent sureties each for the like sum, 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 him 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