

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.HARILAL**

**WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937**

**Bail Appl..No. 2522 of 2015 ()**  
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**CRIME NO. 23/2015 OF KUMBLA EXCISE RANGE, KASARAGOD DISTRICT**  
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**PETITIONER/ACCUSED :**  
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**G.GANESHA,  
S/O.VEERAPPA SHETTIGAR,  
AGED 52 YEARS, JODKAL DESOM, KUMBANOOR VILLAGE  
MANJESHWAR TALUK, KASARAGOD.**

**BY ADV. SRI.T.G.RAJENDRAN**

**RESPONDENTS/COMPLAINANT/STATE :**  
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- 1. THE STATION HOUSE OFFICER,  
KUMBLA EXCISE RANGE.**
- 2. STATE OF KERALA,  
REP. BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA  
ERNAKULAM.**

**R1 & R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-06-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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**K. HARILAL, J.**

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**B.A. No.2522 of 2015**  
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**Dated this the 10<sup>th</sup> day of June, 2015**

**ORDER**

The petitioner herein is the accused in Crime No.23 of 2015 of Kumbla Excise Range, registered for the alleged commission of the offence punishable under Sec.55(i) of the Abkari Act. The allegation is that on 27/4/2015 at 6 p.m. the accused was found transiting 17 bottles, having a capacity of 180ml., of Indian Made Foreign Liquor at Kodkal Junction in Kubanoor Village. The petitioner was arrested and produced before the Judicial First Class Magistrate's Court-I, Kasaragod, on 28/4/2015 and he is in judicial custody.

2. The learned counsel for the petitioner submits

that the petitioner is innocent and he is falsely implicated in the offence. The investigation is over and the continued detention is not necessary for further investigation.

3. The learned Public Prosecutor submits that, as submitted by the learned counsel for the petitioner, the petitioner was arrested on 28/4/2015 and the investigation is almost over.

4. Having regard to the submissions made at the Bar and the facts and circumstances of this case, bail can be granted to the petitioner on conditions. Therefore, this application is allowed on the following conditions:

(i) The petitioner shall be released on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction to the learned Judicial First Class Magistrate-I, Kasaragod.

(ii) The petitioner shall report

before the Investigating Officer as and when required.

(iii) The petitioner shall not tamper or attempt to tamper with the evidence or influence or try to influence the witnesses acquainted with the facts and circumstances of this case.

If any of the conditions is violated, the bail granted to the petitioner shall stand cancelled automatically and in that event, the court below is at liberty to take appropriate steps as are available to it in law.

Sd/-

**(K. HARILAL, JUDGE)**

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P.S. to Judge