

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 19372

Bail Appl..No. 2653 of 2015 ()

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CRIME NO. 166/2015 OF AYIROOR POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT
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PETITIONER/A1:

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BOBAN, AGED 40 YEARS, S/O.MANIYAN,
KAITHURKONAM, NELLITHARA VEEDU,
NEMOM VILLAGE, NEMOM P.O, THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT/STATE:

**-----
STATE OF KERALA,
REPRESENTED THROUGH THE SUB-INSPECTOR OF POLICE,
AYIROOR POLICE STATION,
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 25-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.2653 of 2015

Dated this the 25th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioner is the first accused in Crime No.166/2015 of Ayiroor police station registered for the offence under Section 55(a) & (i) of the Kerala Abkari Act.

3. The police seized 10 bottles of beer from Fishermen Arts Cafe which had no authority to sell liquor. It is stated that the building belonged to the petitioner, so he is also made an accused in the case.

4. Heard.

5. The building from which the liquor was seized admittedly belongs to the petitioner. He leased it out to the co-accused who was conducting the cafe. The prosecution has no case that the petitioner had anything to do with the business in the cafe. Having regard to these facts, I am inclined to grant the prayer of the petitioner for anticipatory bail.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.Twenty five thousand only with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not destroy or tamper with evidence.

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