

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937**

**Bail Appl..No. 2947 of 2015**  
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**CRIME NO. 22/2015 OF PATTAMBI EXCISE RANGE, PALAKKAD DISTRICT**  
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**PETITIONER(S)/ACCUSED NOS.1 & 2 :**  
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- 1. SUDHAKARAN, AGED 47 YEARS,  
S/O.SANKARAN, CHITTANIPPARA HOUSE, KODALUR DESOM,  
PATTAMBI VILLAGE, PALAKKAD DISTRICT.**
- 2. SASI, AGED 52 YEARS,  
S/O.VELAYUDHAN, KUNNUPPASSERY HOUSE,  
SANKARAMANGALAM DESOM, PATTAMBI VILLAGE,  
PALAKKAD DISTRICT.**

**BY ADV. SRI.NIREESH MATHEW**

**RESPONDENT(S)/COMPLAINANT :**  
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**STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT.R.REMA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 05-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**K. ABRAHAM MATHEW, J.**

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**B.A. No. 2947 of 2015**

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Dated this the 5<sup>th</sup> day of June, 2015

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. The petitioners are accused 1 and 2 in C.R. No. 22 of 2015 of Pattambi Excise Range Office registered for the offence 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. 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.25,000/-(Rupees 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::**

2) They shall appear before the Investigating Officer between 10 a.m. to 11a.m. on every Wednesday for four months or till the final report is filed, whichever is earlier

3) They shall not destroy or tamper with evidence.

4) They shall not get themselves involved in any other criminal cases.

5) They shall not intimidate or attempt to influence the witnesses.

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**

DST

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P.A. To Judge