

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Bail Appl..No. 2970 of 2015 ()

CRIME NO. 63/2015 OF PONNANI EXCISE RANGE, MALAPPURAM DISTRICT

PETITIONER(S)/ACCUSED NOS 1 & 2:

- 1. VELAYUDHAN, AGED 54 YEARS,
S/O. KARAPPAN, PALAKKAL HOUSE, ERAVAKKD DESOM,
KAPPOOR VILLAGE, PATTAMBI TALUK.**
- 2. KUMARAN, AGED 52 YEARS,S/O. AYYAPPAN,
KURUMBOOR HOUSE, KALLORMA DESOM,
NANNAMMUKKU VILLAGE, PONNANI TALUK.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
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 02-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A. No.2970 of 2015

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Dated this the 2nd day of June, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. The petitioners are accused 1 & 2 in C.R. No. 63 of 2015 of Ponnani Excise Range Office registered for the offences under section 57(a) and 56(b) 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.

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

3) They shall not destroy or tamper with evidence.

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

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

//True Copy//

P.A. To Judge