

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

Bail Appl..No. 3079 of 2015 ()

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CR. NO. 37/2014 OF THRITHALA EXCISE RANGE, PALAKKAD DISTRICT.**

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PETITIONERS/ACCUSED NOS.1 & 2:

- 1. RAJAN JAMES, AGED 49 YEARS,
S/O. CHACKO, PULICKAL HOUSE, HOSDURG DESOM,
HOSDURG VILLAGE, KASARAGOD DISTRICT.**
- 2. PREMARAJAN, AGED 38 YEARS,
S/O. MADAMBI, KUNDAPARAMBIL (AMAKKAVU),
MATHOOR DESOM, CHALISSERY VILLAGE,
PATTAMBI TALUK, PALAKKAD DISTRICT.**

BY ADV. SRI.NIREESH MATHEW.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

Bail Appl. No.3079 of 2015

Dated this the 8th day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in C.R. No.37 of 2014 of Thrithala Excise Range registered for the offence under Sec.57(a) of the Kerala 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.

3. Heard both sides.

4. The learned counsel for the petitioners submits that no noxious substance was present in the sample.

5. I am satisfied that the nature of the case does not demand custodial interrogation of the petitioners.

In the result, this bail 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) 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.

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

/ True Copy /

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P.A. To Judge