

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

Bail Appl.No. 3473 of 2015

CRIME NO. 47/2015 OF IRINJALAKUDA EXCISE RANGE OFFICE, TRISSUR
.....

PETITIONER(S)/ACCUSED:

**ABHILASH, AGED 32 YEARS,
S/O.MOHANAN, KARAPPILLY HOUSE,
NADIKKARA DESOM, PARAPPUKKARA VILLAGE, P.O. NANDIKKARA,
PIN - 680 301, MUKUNDAPURAM TALUK.**

**BY ADVS.SRI.N.C.SAJITH
SRI.V.A.VINOD
SRI.K.A.VINOD ANTONY**

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. THE STATION HOUSE OFFICER,
IRINJALAKUDA EXCISE RANGE.**
- 2. STATE OF KERALA,
REP BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
19-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K.HARILAL, J.

B.A. No.3473 of 2015

Dated this the 19th day of June, 2015.

O R D E R

This is an application filed under Section 439 of the Code of Criminal Procedure seeking regular bail.

2. Petitioner is the accused in Crime No.47/2015 of Irinjalakuda Excise Range Office for the commission of the offences punishable under Section 55(i) of the Kerala Abkari Act. Allegation against the petitioner is that on 13/5/2015 at about 3.45 P.M. he was found in possession of 6.5 litres of Indian made foreign liquor at Nandikara in Parappukkara Village along with sale money of Rs.700/-. He was arrested on 13/5/2015 and remanded to judicial custody.

3. The learned counsel for the petitioner submits that the allegations levelled against the petitioner are absolutely false and he is innocent of the same. It is further submitted that he is ready to co-operate with the investigation.

4. The learned Public Prosecutor, on instruction, submits that the petitioner was found in possession of 5 litres of Indian made foreign liquor and he was arrested on 13/5/2015.

5. Having regard to the submissions at the Bar and considering the gravity of the allegations against the petitioner, it is felt that bail can be granted to the petitioner. The application is accordingly allowed and the petitioner is granted bail subject to the following conditions:

- i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Judicial First Class Magistrate-I, Irinjalakuda.
- ii. The petitioner shall appear before the investigating officer as and when required.
- iii. The petitioner shall not tamper or attempt to tamper with the evidence and influence or try to influence the witnesses acquainted with the facts and circumstances of this case.

- iv. The petitioner shall not involve in similar offences during the pendency of trial.
- v. If any of the conditions is violated, the bail granted shall stand cancelled and the learned Magistrate concerned, on being satisfied of the said fact, may take such proceedings as are available to him in law.

Sd/-
K. HARILAL, JUDGE

okb.