

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

Bail Appl..No. 3615 of 2015

CRIME NO. 50/2015 OF IRITTY EXCISE RANGE OFFICE , KANNUR

PETITIONER(S)/ACCUSED NOS.1 & 2:

1. C.G.SURESH, AGED 44 YEARS,
S/O.GOVINDAN, CHAMUNDIYIL HOUSE,
VEERPPADU BHAGOM,
AARALAM AMSOM DESOM, IRITTY TALUK.
2. M.V.SURESH, AGED 42 YEARS,
S/O.GOVINDAN, MEETHALE HOUSE,
PARAKANDAM BHAGOM,
MUZHAKUNNU AMSOM, NELLOOR DESOM,
ITITTY TALUK.

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.3615 of 2015

Dated this the 30th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners conduct a toddy shop. The sample of toddy taken from the shop disclosed that the sample contained 8.33 percent of Ethyl Alcohol. It is in excess of the prescribed strength. According to the prosecution, they thus committed the offence under Sections 56(b) and 57(a) of the Kerala Abkari Act.

3. Heard.

4. Learned counsel submits that the difference is only marginal. Having regard to this fact, I am inclined to grant the prayer.

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. They shall appear before the investigating officer for interrogation if they are so required by him in writing.

3. They shall not get themselves involved in any other criminal case while they are on bail.

4. They shall not intimidate or attempt to influence the witnesses.

5. 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 law.

If the petitioners surrender before the Magistrate this order is not applicable and the learned magistrate may pass appropriate orders.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge