

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

**PRESENT:**

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

**FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937**

**Bail Appl..No. 4187 of 2015 ()**

**CRIME NO. 57/2015 OF KUNNAMKULAM EXCISE RANGE, THRISSUR DISTRICT**

**PETITIONER/ACCUSED:**

**ROY M. JOSE, AGED 44 YEARS, S/O.JOSE,  
MAKKATTUKULAM HOUSE, KANIPPAYYUR POST,  
THRISSUR DISTRICT. PIN : 680 517.**

**BY ADV. SRI.SANTHEEP ANKARATH**

**RESPONDENT/COMPLAINANT:**

**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM,  
REPRESENTING EXCISE INSPECTOR,  
KUNNAMKULAM EXCISE RANGE,  
KUNNAMKULAM - 680 503,  
THRISSUR DISTRICT.**

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

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**sts**

**K. ABRAHAM MATHEW, J.**

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**B.A. No.4187 of 2015**  
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**Dated this the 17<sup>th</sup> day of July 2015**

**ORDER**

Petition filed under Sec.439 Cr.P.C.

2. Petitioner is accused in C.R. No.57 of 2015 of Excise Range, Kunnamkulam registered for the offences under Secs.55(a) and (i) of the Kerala Abkari Act. The prosecution case is that he kept 5.200 litres of Indian Made Foreign Liquor for the purpose of sale.

3. Heard both sides.

4. The petitioner has been in custody since 28.06.2015. He is not involved in any other case. For that reason alone, I am inclined to grant his prayer.

In the result, the bail application is allowed.

1) The petitioner will 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 learned Magistrate concerned.

2) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Thursday for four months or till the final report is filed, whichever is earlier.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

7) The petitioner shall co-operate with investigation of the case.

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