

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. 4188 of 2015 ()

CRIME NO. 91/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM DISTRICT

PETITIONER/ACCUSED:

**PUSHPAKARAN,S/O.DIVAKARAN, AGED 63 YEARS,
THANDASSERI VEEDU, VARAVILA MURI,
CLAPPANA VILLAGE, KARUNAGAPPALLY TALUK.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT/STATE :

**STATE OF KERALA,
REPRESENTED BY EXCISE INSPECTOR OF POLICE,
KARUNAGAPALLY EXCISE RANGE
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

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

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K. ABRAHAM MATHEW, J.

B.A. No.4188 of 2015

Dated this the 17th day of July 2015

ORDER

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

2. Petitioner is accused in C.R. No.91 of 2015 of Karuganappally Excise Range registered for the offence under Sec.55(i) of the Kerala Abkari Act.1.700 m.l. of Indian Made Foreign Liquor was seized from him. It is alleged that he kept it for sale.

3. Heard both sides.

4. The petitioner has been in custody since 21.06.2015. The quantity seized from him is only 1.700 litres. Further detention of the petitioner is not necessary for effective investigation. So 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