

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

Bail Appl.No. 4237 of 2015

C.R. NO. 113/2014 OF ALAPPUZHA EXCISE RANGE OFFICE, ALAPPUZHA

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

- 1. RATHEESH, AGED 28 YEARS,
S/O.RAJU, KUTTARAVELIYIL HOUSE, KOMALAPURAM,
ARYADU VADAKKU VILLAGE, AMBALAPPUZHA.**
- 2. V.RAJENDRAN, AGED 53 YEARS,
S/O.VISWANADHAN, KADAVATTUVELIYIL HOUSE, AVALUKUNNU,
ARYADU THEKKU, KERALAPURAM, AMBALAPPUZHA.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/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
21-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

Bail Appl. No.4237 of 2015

Dated this the 21st day of July 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.113 of 2014 of Alappuzha Excise Range registered for the offences under Secs.56(b) and 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 nor shall they get themselves involved in any other criminal case.

4) They shall not intimidate or influence the witnesses.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the 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
/True Copy /

NS

P.A. To Judge

