

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

**PRESENT:**

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

**TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937**

**Bail Appl..No. 4282 of 2015**  
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**CRIME NO.143/2015 OF NOORNADU EXCISE RANGE, ALAPPUZHA DISTRICT**  
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**PETITIONER(S)/ACCUSED :**  
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**PUSHPANGADAN @ UTHAMAN, AGED 50 YEARS,  
S/O.VELAYUDHAN, THORANDIPPALLI MEKKU,  
THAMARAKULAM EAST, MAVELIKKARA.**

**BY ADVS.SRI.R.SUNIL KUMAR  
SMT.A.SALINI LAL**

**RESPONDENT(S)/COMPLAINANT :**  
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**STATE OF KERALA, REP BY  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 28-07-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**K. ABRAHAM MATHEW, J.**

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**B.A.No. 4282 of 2015**

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Dated this the 28<sup>th</sup> day of July, 2015

**ORDER**

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused of having committed the offence under Sections 8 and 55(g) of the Abkari Act. He was found to be in possession of about 10 litres of arrack and 30 litres of wash used for manufacturing of arrack.

3. Heard.

4. The petitioner has been in custody since 29.05.2015. The investigation is not yet complete. So, I am inclined to grant his prayer.

In the result, this application is allowed.

*1) The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh 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 a.m and 11 a.m. every Thursday for five months, or till the final report is filed, whichever is earlier.*

*3) He shall surrender his passport before the lower court*

*concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*

*4)He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*

*5)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-  
**K. ABRAHAM MATHEW,**  
**JUDGE**

DST

//True copy//

P.A. To Judge