

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Bail Appl..No. 4294 of 2015

CRIME NO. 939/2015 OF PALLITHOTTAM POLICE STATION , KOLLAM

PETITIONER(S)/SOLE ACCUSED :

**KATHERESAN, AGED 33 YEARS,
SON OF SELVA PANDIAN, RESIDING AT PUNNATHALA NAGER-83,
KOLLAM WEST-VILLAGE, KOLLAM DISTRICT, (FROM DOOR NO:22,
MANTHITHOPPU ROAD, SASTHRI NAGAR, KOVIL PETTY,
TAMIL NADU).**

**BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.SREEKUMAR (KOLLAM)
SRI.ANIL ELGIN
SRI.S.BIJU (KIZHAKKANELA)
SRI.S.VINCENT
SRI.S.JOSE**

RESPONDENT(S)/STATE :

**THE STATE OF KERALA,
REPRESENTED THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH THE SUB INSPECTOR OF POLICE,
PALLITHOTTAM POLICE STATION, KOLLAM DISTRICT.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

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B.A.No. 4294 of 2015

Dated this the 22nd day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 55(a) and (i) of the Abkari Act. He was found to be in possession of 3.35 litres of Indian Made Foreign Liquor.

3. Heard.

4. Learned Public Prosecutor submits that petitioner is not involved in any other case under the Abkari Act. He has been in custody since 01.07.2015. Having regard to these facts, 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.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 a.m and 11 a.m. every Friday for four 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