

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

**PRESENT:**

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

**THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937**

**Bail Appl..No. 4336 of 2015 ()**

**CRIME NO. 39/2015 OF KALIKAVU EXCISE RANGE OFFICE, MALAPPURAM**

**PETITIONER/ACCUSED:-:**

**ABU, AGED 32 YEARS,  
S/O.HASSAN, KUTTIKATTIL HOUSE, KUNNATHUNDU,  
PERINGALA DESOM, PEERINGALA P.O., KUMARAPURAM  
PERINTHALMANNA.**

**BY ADV. SRI.M.J.SANTHOSH**

**RESPONDENT/COMPLAINANT:-:**

**STATE OF KERALA  
REPRESENTED BY EXCISE INSPECTOR, KALIKAVU RANGE,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

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

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 23-07-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**bp**

**K. ABRAHAM MATHEW, J.**

=====

**B.A.No. 4336 of 2015**

-----

Dated this the 23<sup>rd</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 55(a) of the Abkari Act. The prosecution case is that he was found to be in possession of 66 litres of IMFL, which was meant for sale only in Karnataka.

3. Heard.

4. The petitioner has been in custody since 13.06.2015. His further detention is not necessary for completion of the investigation. So, I am inclined to grant the prayer of the petitioner.

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 Wednesday 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