

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

Bail Appl..No. 4378 of 2015 ()

CRIME NO. 85/2015 OF CHENGANNUR EXCISE RANGE, ALAPPUZHA DISTRICT

PETITIONER/ACCUSED:

**NIREESH,S/O.RAJAN, AGED 26 YEARS,
MODIUZHATHIL HOUSE, PIRALASSERY MURI,
MULAKKUZHA VILLAGE, CHENGANNUR TALUK,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.K.JAYARAJ

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR, EXCISE RANGE OFFICE,
CHENGANNUR , THROUGH 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 24-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 4378 of 2015

Dated this the 24th day of July, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 55(i) of the Kerala Abkari Act. The prosecution case is that he was found selling Indian Made Foreign Liquor. Excise Officers seized from him 600 ml of IMFL, one glass, a plastic bottle and Rs.150/-.

3. Heard.

4. Petitioner is not involved in any other case. He has been in custody since 02.07.2015. His further detention is not necessary for completion of the investigation.

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 Thursday for three 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