

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

Bail Appl..No. 4457 of 2015 ()

**CRIME NO. 31/2015 OF AMARAVILA EXCISE RANGE OFFICE ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED 1 AND 2:

- 1. SHAJU MANI, S/O. MANIYAN,
MAILAKUNNU VEEDU, ANCHUMARANKALA,
VELLARADA DESOM AND VILLAGE, NEYYATINKARA TALUK.**
- 2. SUKUMARAN, S/O. CHELLAPPAN,
ROADARIKATHU VEEDU, PANNIMALA,
KOOHALI DESOM, VELLARADA VILLAGE,
NEYYATINKARA TALUK.**

BY ADV. SRI.G.SUDHEER

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

B.A. No.4457 of 2015

Dated this the 4th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused in Crime No.31 of 2015 of Amaravila Excise Range station registered for the offences under Secs.8(1), 8(2) and 55(g) of the Kerala Abkari Act. The prosecution case is that they were found transporting 8 litres of arrack. Further, they were found to be in possession of 200 litres of wash.

3. Heard both sides.

4. The petitioners have been in custody since 09.06.2015. The final report has not yet been filed. Having regard to these facts, I am inclined to grant their prayer.

In the result, the bail application is allowed.

1) The petitioners will be released on bail on their executing a bond for Rs.1,00,000/- (Rupees one lakh only) each with three solvent sureties each for the like

sum to the satisfaction of the learned Magistrate concerned.

2) The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. everyday for three weeks and thereafter every Wednesday for six months or till the final report is filed, whichever is earlier.

3) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

6) The petitioners shall not intimidate or

attempt to influence the witnesses.

7) The petitioners shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge