

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

Bail Appl..No. 4730 of 2015 ()

CRIME NO. 59/2015 OF NILESHWAR EXCISE RANGE, KASARAGOD DISTRICT.

PETITIONER/ACCUSED NO.2:

**MANOJ E., AGED 39 YEARS,
S/O.NARAYANAN, ITTAMMAL VEEDU,
KUNHIPPARA, KALICHAMARAM,
KARINDALAM VILLAGE, HOSDURG TALUK.**

BY ADV. SRI.MURUGAN P.V.

RESPONDENTS/COMPLAINANTS:

- 1. THE STATION HOUSE OFFICER,
NILESHWAR EXCISE RANGE, KASARAGOD DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. STATE OF KERALA,
REPRESENTED BY 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 13-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4730 of 2015

Dated this the 13th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.59 of 2015 of Nileshtar Excise Range, Kasaragod District. He is said to have committed the offence under Section 58 of Abkari Act.

3. The prosecution case is that he was found to be in possession of 7 liters of IMFL which was meant for sale only in Puthussery.

4. Heard.

5. The petitioner has been in custody since 21.06.2015. 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.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. He shall appear before the investigating officer

every day till 02.09.2015 between 10.00 a.m and 11.00 a.m and thereafter alternate Wednesday for four months.

3. He shall not threaten or attempt to influence the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

4. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

5. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

6. He shall not enter the local limits of Nileshtar Excise Range Office till 02.09.2015 except for complying with the direction in this order.

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