

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl.No. 4990 of 2015

CRIME NO. CR. 83/2015 OF IRINJALAKUDA EXCISE RANGE OFFICE , THRISSUR
.....

PETITIONER(S)/ACCUSED:

**VAREED, AGED 75,
S/O. VARU, THOTTIYAN HOUE,
VARANTHARAPPILLY ROTTIPPADI DESOM,
VARANTHARAPPILLY VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO**

RESPONDENT(S)/STATE OF KERALA:

**THE STATE OF KERALA,
REP. BY THE EXCISE INSPECTOR, IRINJALAKUDA RANGE,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4990 of 2015

Dated this the 20th day of August 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in C.R. No.83 of 2015 of Irinjalakuda Excise Range registered for the offence under Sec.55(i) of the Kerala Abkari Act. The prosecution case is that he was found to be in possession of 1.5 litres of Indian Made Foreign Liquor which according to the prosecution he had kept for sale.

3. Heard both sides.

4. The petitioner has been in custody since 10.08.2015. It is submitted that the petitioner is not involved in any other case. He is a 75 year old man. Taking into account his age alone, I am inclined to grant his prayer.

In the result, the bail 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) He shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. everyday for two weeks and thereafter every Wednesday for three months or till the final report is filed, whichever is earlier.

3) He shall not enter the local limits of Irinjalakkuda Excise Range office till 02.9.2015 except for complying with the directions in this order.

4) He shall surrender his passport before the lower court concerned or if he does not have the one, 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 the trial court concerned as the case may be.

6) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

7) He shall not intimidate or attempt to influence the witnesses.

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