

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

Bail Appl..No. 4994 of 2015

CRIME NO. 194/2015 OF KOLLAM EXCISE RANGE OFFICE, KOLLAM.

PETITIONER:

**SAJI, S/O.SADASIVAN, AGED 33 YEARS,
MANGALATH BEETIL,
PATTAMTHURATHU EAST WARD,
MUNDROTHURATHU, KOLLAM.**

**BY ADVS.SRI.ARUN BABU
SRI.G.HARIPRASAD**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
KOCHI-31.**
- 2. EXCISE INSPECTOR,
EXCISE RANGE OFFICE, KOLLAM - 691 001.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.4994 of 2015

Dated this the 21st day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.194 of 2015 of Kollam Excise Range Office. He is said to have committed the offence under Section 8(1) and (2) of the Kerala Abkari Act.

3. The prosecution case is that he was found carrying arrack in a container at a public place.

4. Heard.

5. The learned counsel submits that this is a false case got registered at the instance of his brother. They were partners of a firm. There were some disputes between them. This is the reason for the enmity according to the learned counsel. I have perused the case diary. The alleged incident happened at 8.30 in the morning at a public place. The allegation is that the petitioner was found carrying 4 liters of arrack in a container having the capacity of 10 liters. There are some suspicious

circumstances in the prosecution case. For these reasons I am inclined to grant his prayer for bail.

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 for interrogation if he is so required by him in writing.

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 or 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.

If the petitioner violates any of the above conditions,

B.A. No.4994 of 2015

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the court of enquiry/trial is empowered to cancel the bail
in accordance with the law.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge