

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 25TH DAY OF AUGUST 2015/3RD BHADRA, 1937

Bail Appl..No. 5047 of 2015 ()

CRMC 1711/2015 of SESSIONS COURT, TRIVANDRUM DATED 10-08-2015
CMP 8473/2015 of J.M.F.C.-II, NEDUMANGAD DATED 28-07-2015
CRIME NO. 66/2015 OF NEDUMANGAD EXCISE RANGE OFFICE,
THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED (IN CUSTODY) :-

SREEKUMAR, AGED 47 YEARS, S/O.VELAPPAN PILLAI,
ROADARIKATHU SRUTHI BHAVAN, IDAVANKONAM
VINOBHANIKETHAN, KOTTAKKAKAM MURI, ARYANADU VILLAGE
NEDUMANGADU TALUK, TRIVANDRUM - 695001

BY ADV. SMT.M.SANTHI

RESPONDENT(S)/COMPLAINANT :-

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682031.

BY PUBLIC PROSECUTOR SRI.C.RASHEED (Sr.)

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
25-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

jvt

SUNIL THOMAS, J.

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**B.A. No.5047 of 2015**  
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Dated this the 25th day of August 2015

ORDER

The sole accused in Crime No.66 of 2015 of Nedumangadu Excise Range for offence punishable under Section 55(i) of the Abkari Act is the petitioner herein. The allegation of the prosecution is that on 26.7.2015, the petitioner was found in possession of 4.400 litres of IMFL. The petitioner was arrested on the spot and he is in custody since then. He seeks bail.

2. Learned Public Prosecutor opposed the bail application on the ground that there are antecedent allegations against the petitioner herein. It appears that the petitioner is involved in three crimes, though they are of the periods 2007, 2009 and 2012. Though, the allegations against the petitioner herein is serious, the antecedent allegations appears to be of sporadic nature. Though, that by itself does not lessen the gravity of the offence, still, considering the fact that substantial part of the investigation is over with the search, seizure and preparation of the contemporaneous documents and the further fact that he is in

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custody since 26.7.2015, I am inclined to grant bail to the petitioner, subject to the following conditions :-

- (i) The petitioner shall execute a bond for a sum of ₹40,000/- (Rupees Forty Thousand only) with two sureties for the like sum each to the satisfaction of the jurisdictional court.
- (ii) The petitioner shall co-operate with the investigation and shall appear before the Investigating Officer as and when called for and shall not in any manner interfere in the investigation.
- (iii) The petitioner shall not get involved in any other identical offence.

**Sd/-
SUNIL THOMAS
JUDGE**