

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

Bail Appl.No. 5387 of 2015

CRIME NO. 132/2012 OF MANANTHAVADY EXCISE RANGE OFFICE, WAYANAD
.....

PETITIONER(S)/ACCUSED:

**MUHAMMED SHAFI T.K., AGED 30 YEARS,
S/O.KUNJEED, KULAKKATTIL VEEDU, THACHERU PADIKKAL,
SS ROAD, VENGARA, THIRURANGADI,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI
SMT.ANJANA KANNATH**

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. THE EXCISE INSPECTOR,
MANANTHAVADY EXCISE RANGE, MANANTHAVADY,
WAYANAD DISTRICT, PIN-670 645.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
25-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B. SUDHEENDRA KUMAR, J.

Bail Appl. No.5387 of 2015

Dated this the 25th day of September 2015

ORDER

Petition filed under Sec.439 Cr.P.C.

2. The petitioner is the accused in S.C. No.38 of 2013 on the files of the Additional Sessions Court-II, Kalpetta.

3. The petitioner was earlier granted bail by the Court below. Thereafter, the petitioner absconded and in the said circumstance, the bail bond was forfeited and he was arrested on 31.07.2015 pursuant to the non-bailable warrant issued by the Court concerned and ever since he has been in custody.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. The learned counsel for the petitioner has submitted that the petitioner was regularly appearing before the Court and it was only due to some unavoidable circumstance that he was not able to attend the Court below and the petitioner is ready to appear before the

Court below on all posting dates.

6. Considering the facts and circumstances of the case including the fact that the case is pending as S.C. No.38 of 2013 for trial, I am of the view that further detention of the petitioner is not necessary.

In the result, the bail application stands allowed and the petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Sessions Court concerned and subject to the further condition that the petitioner shall appear before the Court below on all posting dates without fail.

Sd/-

B. SUDHEENDRA KUMAR
JUDGE

/ True Copy /

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P.A. To Judge