

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 6271 of 2015

CRIME NO. 52/2015 OF KUMBALA EXCISE RANGE OFFICE, KASARGOD

PETITIONER(S)/ACCUSED 1,2:

- 1. SOMANATH, AGED 45 YEARS,
S/O.KUKKA, RESIDING AT BANDIYODU ADUKKA,
MANGALPADI VILLAGE, MANJESWARAM TALUK.**
- 2. M.RAMA, AGED 56 YEARS,
S/O.KUNJI VELICHAPPADU, RAGHAVA NIAVAS, UPPALA VILLAGE,
MANJESWARAM TALUK, KASARAGOD DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A No.6271 of 2015

Dated this the 14th day of October, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners apprehend arrest in Crime No.52/2015 of Kumbala Excise Range registered for offences punishable under Sections 56(b) and 57(a) of the Abkari Act. It is alleged that the toddy sold in the shop run by the petitioners contained excessive quantity of starch. In similar matters, this court had passed orders of pre-arrest bail. Annexure B is the order produced for substantiating the contention of the petitioners.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Considering the nature of allegations, pre-arrest bail is granted to the petitioners with following conditions :

1. The petitioners shall surrender before the investigating officer within a period of one week and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.
3. The petitioners shall appear before the Investigating Officer as and when directed for interrogation.
4. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge