

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6346 of 2015

CRIME NO. 67/2015 OF CHITTOOR EXCISE RANGE OFFICE, PALAKKAD
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PETITIONER(S)/ACCUSED:

- 1. ANANDAN, AGED 40 YEARS,
S/O.KANNAPPAN, ANAND NIVAS, CHURAPPARA,
VADAKARAPATHI VILLAGE, CHITTUR.**
- 2. SUBHASH, AGED 35 YEARS,
S/O. RAMASWAMI, MENONCHALLA VEEDU, KOPPUMENONCHALLA,
VADAKARAPATHI, CHITTUR.**

BY ADV. SRI.P.K.ANIL

RESPONDENT(S)/COMPLAINANT:

- 1. THE EXCISE INSPECTOR,
CHITTUR EXCISE RANGE.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
15-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

A. HARIPRASAD, J.

Bail Appl. No.6346 of 2015

Dated this the 15th day of October 2015

ORDER

Bail application filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in Crime No.67 of 2015 of Chittur Excise Range registered for the offences punishable under Secs.55(a) and (i), 58 and 67B of the Kerala Abkari Act. Prosecution case is that, on 05.09.2015, the petitioners were found carrying adulterated toddy on a motorbike.

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

4. Learned counsel for the petitioners submitted that the petitioners are innocent of all the allegations. It is also submitted that among them, 1st petitioner is a toddy tapper by profession and has valid registration.

5. Learned Public Prosecutor submitted that the petitioners are not involved in any other offence of

similar nature.

Considering the nature of allegations and the fact that investigation has advanced to a considerable extent, bail is granted to the petitioners with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioners shall appear before the investigating officer for interrogation every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the final report is filed.

iv. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

v. The petitioners shall not involve in any other offence during the period of bail.

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.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/15/10/2015

P.A. To Judge