

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

Bail Appl..No. 6642 of 2015 ()

CRIME NO. 39/2015 OF KALPETTA EXCISE RANGE OFFICE, WAYANAD DISTRICT

PETITIONER/ACCUSED 1 & 2 :

- 1. BABY**
AGED 58 YEARS, S/O.JOSEPH,
THADATHIL HOUSE, KANIYAMPATTA VILLAGE
VYTHIRI TALUK, WAYANAD DISTRICT.
- 2. A.R.KUMARAN**
AGED 54 YEARS, S/O.RAMAN,
ACHILAMKUNNU HOUSE, MADAKUNNU P.O.,
KOTTATHARA VILLAGE, VYTHIRY,
WAYANAD DISTRICT.

BY ADV. SRI.MATHEW KURIAKOSE

RESPONDENT/STATE :

STATE OF KERALA
(CRIME NO.39/2015 OF KALPETTA EXCISE RANGE)
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A. HARIPRASAD, J.

Bail Appl. No.6642 of 2015

Dated this the 4th day of November 2015

ORDER

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in Crime No.39 of 2015 of Kalpetta Excise Range registered for the offences punishable under Secs.57(a) and 56(b) of the Kerala Abkari Act. The prosecution allegation is that on an examination it was found that the sample of toddy stored in the shop run by the 2nd petitioner was adulterated with starch.

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

4. Considering the nature of allegations, I am of the view that pre arrest bail can be granted to the petitioners with the 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.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/04/11/2015

P.A. To Judge