

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 7282 of 2015 ()

CR.NO. 55/2015 OF KURAVILANGADU EXCISE RANGE, KOTTAYAM DISTRICT

PETITIONERS/ACCUSED NOS 1 TO 4 :

- 1. BIJU C.K., AGED 41 YEARS
S/O. KRISHNANKUTTY, CHIRAMATTEL HOUSE
KIDANGOOR SOUTH P.O., KIDANGOOR VILLAGE
KOTTAYAM DISTRICT.**
- 2. M.P. PHILIP, AGED 52 YEARS
S/O. PHILIPOSE, MANNOOKUNNEL HOUSE, KIDANGOOR P.O.
MEENACHIL TALUK, KOTTAYAM DISTRICT.**
- 3. T.G.CHITHAJAN, AGED 48 YEARS
S/O. GOPALAN, THAYYIL NJALIL HOUSE, KIDANGOOR P.O.
MEENACHIL TALUK, KOTTAYAM DISTRICT.**
- 4. K.K.RAJU, AGED 56 YEARS
S/O. KRISHNANKUTTY, KOTHAKUNNEL HOUSE,
KIDANGOOR P.O., MEENCHIL TALUK, KOTTAYAM DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7282 of 2015

Dated this the 26th day of November 2015

O R D E R

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

2. Petitioners are accused nos.1 to 4 in C.R. No.55 of 2015 of Kuravilangadu Excise Range registered for the offences punishable under Secs.57(a) 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 petitioners 2 to 4 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 for interrogation as and when directed by him in writing.

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/26/11/2015

P.A. To Judge