

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

Bail Appl..No. 7364 of 2015

CRIME NO. 145/2015 OF KUTTANAD EXCISE RANGE OFFICE, ALAPPUZHA

PETITIONER(S)/ACCUSED NOS. 1 & 2:

1. SUSEELAN, AGED 54 YEARS,
S/O.CHELLAPPAN, PATTARUMBACKAL HOUSE, MANALAZHI MURI,
RAMANKARI VILLAGE, KUTTANADU TALUK,
ALAPPUZHA DISTRICT.
2. GOPALAKRISHNAN, AGED 53 YEARS,
S/O.RAJAPPAN, PULIMOOTTIL HOUSE,
MAMBUZHAKKARI MURI,
RAMANKARI VILLAGE, KUTTANADU TALUK.

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.N.SURESH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.7364 of 2015

Dated this the 27th day of November 2015

O R D E R

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

2. Petitioners are accused nos.1 and 2 in C.R. No.145 of 2015 of Kuttanadu Excise Range registered for the offence punishable under Sec.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 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/27/11/2015

P.A. To Judge