

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

Bail Appl..No. 7392 of 2007()

CR NO.163/07 OF CHENGANNUR EXCISE RANGE
CMP.5259/2007 of J.M.F.C.-II, CHENGANNUR
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PETITIONERS/ACCUSED NO.3 IN CR. NO. 163/07

SHAMSUDEEN ,S/O.SHOUKATHTALI
PEROORTHARAYIL VEEDU,
CHERUVALLUR MURI, CHERIYANAD VILLAGE
CHAGANNUR TALUK.

BY ADV. SRI.AJITH MURALI

RESPONDENTS: COMPLAINANT IN CR. NO. 163/2007

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

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 7392 of 2007

Dated this the 30th day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 12 litres of spirit on 1.10.2007. The petitioner was arrested and he continues in custody from that date. Investigation is not complete. Final report has not been filed so far.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer - a period of 60 days from the first remand having already expired and final report having not filed - and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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