

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE R.BASANT**

**TUESDAY, THE 29TH APRIL 2008 / 9TH VAISAKHA 1930**

**Bail Appl..No. 2515 of 2008**  
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**AGAINST CRIME NO. 117/2007 OF AGALY POLICE STATION  
CMP.1162/2008 of J.M.F.C., MANNARKAD**  
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**PETITIONER/ACCUSED NO. 2 :**  
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**SANTO,S/O.JOSEPH  
KOZHIPURATH VEEDU, MINERVA, SHOLAYAR, PALAKKAD**

**BY ADV. SRI.MANSOOR.B.H.**

**RESPONDENTS/COMPLAINANT**  
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**STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM**

**BY PUBLIC PROSECUTOR SRI. GIKKU JACOB**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 29/04/2008,THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**R. BASANT, J.**

.....  
B.A. No. 2515 OF 2008  
.....

Dated this the 29<sup>th</sup> day of April, 2008

**O R D E R**

Application for regular bail. Petitioner faces allegations under the Kerala Abkari Act. He, along with the co-accused, was allegedly found to be in possession of 270 litres of arrack on 27.9.07. He is the 2<sup>nd</sup> accused. He surrendered on 8.4.08. The co-accused were arrested and were released on bail earlier, it is submitted.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and

conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 12.5.08. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

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

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

**(R.BASANT, JUDGE)**

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