

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY ,THE 28TH DAY OF DECEMBER 2018 / 7TH POUSHA, 1940

Bail Appl..No. 8832 of 2018

AGAINST THE ORDER/JUDGMENT IN CRMC 2052/2018 of D.C. &  
SESSIONS COURT,KOLLAM

AGAINST THE ORDER/JUDGMENT IN CMP 3664/2018 of J.M.F.C. -  
I, KARUNAGAPPALLY

CRIME NO. 82/2018 OF Karunagappally Excise Range Office ,  
Kollam

PETITIONER/S:

SANTHOSH KUMAR  
AGED 40 YEARS  
ELAMKULATHU VADAKKATHIL VEEDU,VENGARA MURI,  
THODIYUR VILLAGE.

BY ADV. SRI.M.R.SASITH

RESPONDENT/S:

- 1 STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,ERNAKULAM-682031.
- 2 THE EXCISE INSPECTOR  
EXCISE RANGE OFFICE,KARUNAGAPPALLY-691001.

OTHER PRESENT:

SMT. M K PUSHPALATHA PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
28.12.2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

## **ORDER**

The petitioner is the accused in Crime No.82 of 2018 of Karunagappally Excise Range registered under Section 55(i) of the Abkari Act on the allegation that on 8.12.2018 at 7.30 p.m., the petitioner was found in possession of 700 ml of Indian Made Foreign Liquor for the purpose of sale, in contravention of the provisions of the Abkari Act.

2. The petitioner was arrested from the spot and ever since he has been in custody.

3. Heard.

4. The learned Public Prosecutor has no serious objection in allowing this application.

5. Considering the facts and circumstances of the case, including the fact that the contraband seized is Indian

-3-

Made Foreign Liquor, I am inclined to allow this application.

In the result, this application stands allowed and the petitioner shall be enlarged on bail on condition of the petitioner executing a bond for Rs.30,000/- (Rupees thirty thousand only) with two solvent sureties, each for the like sum to the satisfaction of the trial court and subject to the further condition that the petitioner shall report before the Investigating Officer as and when required by the Investigating Officer for interrogation.

Dated this the 28<sup>th</sup> day of December 2018.

sd

**B. SUDHEENDRA KUMAR, JUDGE.**

dl/

// True copy // PA to Judge