

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 31ST DAY OF DECEMBER 2019 / 10TH POUSHA, 1941

Bail Appl..No.9427 OF 2019

AGAINST THE ORDER/JUDGMENT IN CMP 820/2019 DATED 19-12-2019
OF JUDICIAL MAGISTRATE OF FIRST CLASS , SASTHAMCOTTA

CRIME NO.173/2019 OF Sasthamcotta Excise Range Office ,
Kollam

PETITIONER/ACCUSED:

BALAKRISHNA PILLAI
AGED 63 YEARS
S/O. NARAYANA PILLAI, NEDIYATH KIZHAKKATHIL,
VENGA MURI, MYNAGAPPALLY VILLAGE,
KUNNATHUR TALUK, KOLLAM DISTRICT 690 519.

BY ADVS.
SRI.K.SIJU
SMT.S.REKHA KUMARI
SMT.S.SEETHA
SMT.ANJANA KANNATH

RESPONDENTS/STATE:

- 1 STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-31.
- 2 EXCISE INSPECTOR,
SASTHAMCOTTA EXCISE RANGE, KOLLAM - 690 519.

SMT.SREEJA.V. , PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
31.12.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 31st day of December 2019

The petitioner is the sole accused in Crime No.173/2019 of Sasthamcotta Excise Range, Kollam, for having allegedly committed offence punishable under Section 55(i) of Kerala Abkari Act.

2. The prosecution case is that on 19.12.2019 at about 8.30 AM, the accused was apprehended by the Excise officers and was found to be in possession of 1.125 Ltrs of Indian made Foreign liquor. The petitioner had applied for bail before the Jurisdictional Magistrate, and the same was rejected as per Annexure-I order dated 19.12.2019, he is continuing in judicial custody.

3. The learned senior Public Prosecutor submits that, the petitioner had one antecedent

that he was acquitted in that case. There are no other cases pending against the petitioner.

Considering the quantity of the liquor involved and the fact that there are no other cases pending against the petitioner, he is released on bail on execution of bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each to the like amount to the satisfaction of the Jurisdictional Magistrate and on condition that he shall appear before the Investigating Officer as and when called for.

sd/-

ASHOK MENON

JUDGE