

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

FRIDAY, THE 29TH DAY OF MAY 2020 / 8TH JYAISHTA, 1942

Bail Appl..No.2955 OF 2020

ARISING OUT OF CRIME NO.677/2020 OF POOCHACKAL POLICE STATION ,
ALAPPUZHA

PETITIONERS/ACCUSED NO.1 & 2:

1 PRADEEP,
 AGED 46 YEARS,
 S/O.CHELLAPPAN,
 KOZHAPPALLI VEETIL,
 THYKATTUSSERY P.O.,
 WARD NO.15 OF THYKKATTUSSEY GRAMA PANCHEYATH,
 CHERTHALA THALUK.

2 SANAL,
 AGED 42 YEARS,
 S/O.PRABHAKARAN,
 KOZHAPPALLI VEETIL,
 THYKATTUSSERY P.O.,
 WARD NO.15 OF THYKKATTUSSEY GRAMA PANCHEYATH,
 CHERTHALA THALUK.

BY ADVS.
D.DEEPAK
SRI.K.P.PRASANTH

RESPONDENT/COMPLAINANT:

1 STATE OF KERALA
 REPRESENTED BY PUBLIC PROSECUTOR,
 HIGH COURT OF KERALA,
 ERNAKULAM, KOCHI-18.
 PIN - 682031

2 THE STATION HOUSE OFFICER,
 POOCHAKKAL POLICE STATION,
 ALAPPUZHA DISTRICT.

OTHER PRESENT:

SRI AMJAD ALI - PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 29th day of May, 2020

The petitioners are accused 1 and 2 in Crime No.677/2020 of Poochackal Police Station, Alappuzha, for having allegedly committed offences punishable under Sections 55(b), 55(g), 8(1) & (2) of the kerala Abkari Act. The prosecution case is that the petitioners were found in illegal manufacturing of arrack behind a building bearing No:X/274. The petitioners were arrested on 26.04.2020 and were found to be in possession of 500 ml of arrack and 20 Liters of wash. They seek bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor. The petitioners do not have any criminal antecedents. They have been in detentions since 26.04.2020. Under the circumstances, I find that further incarceration of the petitioners is not necessary.

3. In the result, the petition is allowed and the petitioners are released on bail on the following conditions:

(i) They shall execute self bond for Rs.1,00,000/- (Rupees One lakh only) each before the Superintendent of the jail, where they are in detention, with an undertaking that they shall appear before the jurisdictional court soon after the lockdown is withdrawn and execute a bond for the aforesaid amount each with two solvent sureties, each for the like amount to the satisfaction of the jurisdictional court.

(ii) During the bail period, they shall not get involved in any similar offences.

Breach of the bail conditions would entail in cancellation of the bail, on an application being filed by the prosecution before the jurisdictional court.

**Sd/-
ASHOK MENON
JUDGE**

APPENDIX

PETITIONERS' EXHIBITS:

ANNEXURE-A

COPY OF THE ORDER DATED ON 11/05/2020 IN
CRL.M.P.NO (TMP) 153/2020

RESPONDENTS' EXHIBITS:

NIL

//TRUE COPY// PA TO JUDGE