
(2021) 01 KL CK 0547

High Court Of Kerala

Case No: Bail Application No. 894 Of 2021

Muhammed Ali

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Jan. 22, 2021

Acts Referred:

Code Of Criminal Procedure, 1973 & Section 439#Kerala Abkari Act, & Section 55(a), 55(i)

Citation: (2021) 01 KL CK 0547

Hon'ble Judges: Ashok Menon, J

Bench: Single Bench

Advocate: M. Devesh, V. Sreeja

Final Decision: Allowed

Judgement

1. Application for regular bail under Section 439 of Cr.P.C.

The applicant is sole accused in Crime No.24/2021 of Kuttipuram Police Station for having allegedly committed offences punishable under Sections

55(a) and (i) of the Kerala Abkari Act.

2. The prosecution case, in brief, is that on 17.01.2021 at about 8.30 p.m. the police party apprehended the accused for being in possession of 9 bottles

of IMFL and a bottle of beer, having a total quantity of 4.5 litres of IMFL and 650 ml of beer.

3. The applicant states that he is innocent and the allegations are not true. He has no criminal antecedents. He seeks bail since he has been in custody

since 17.01.2021 onwards.

4. Heard the learned counsel for the applicant and the learned Public Prosecutor.

5. The learned Public Prosecutor admits that the applicant has no criminal antecedents. Considering the quantity of liquor involved and the fact that the

applicant has been in custody since 17.01.2021 and also the present pandemic situation, I find no reason to decline bail to the applicant.

In the result, the Bail Application is allowed and the applicant is directed to be released on bail on execution of bond for Rs. 50,000/-(Rupees fifty

thousand only) with two solvent sureties, each for the like amount to the satisfaction of the jurisdictional court and on following conditions:-

(i) He shall not get involved in similar cases during the currency of the bail.

(ii) He shall appear before the investigating officer as and when called for.

(iii) He shall not tamper with evidence, intimidate or influence the witnesses .

In case of violation of the bail conditions, the prosecution is at liberty to move for cancellation of the bail before the jurisdictional court.