

(2024) 12 KL CK 0095

High Court Of Kerala

Case No: Bail Application No. 10829 Of 2024

Krishnankutty

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Dec. 24, 2024

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 482
- Kerala Abkari Act, 1 of 1077 - Section 8(1), 8(2), 55(g)

Hon'ble Judges: M.B.Snehalatha, J

Bench: Single Bench

Advocate: V.A.Johnson, G.Sudheer

Final Decision: Dismissed

Judgement

M.B.Snehalatha, J

1. This Bail Application is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023.

2. The petitioner is the accused in Crime No.170/2024 of Alathur Excise Range Office, Palakkad, registered against him for the offence punishable under Sections 55(g) and 8(1) & 8(2) of the Kerala Abkari Act.

3. The prosecution case is that on 15.11.2024, at about 1.25 P.M., when the Excise Inspector of Alathur Excise Range and party conducted an inspection in the house of the accused bearing door No.I/631 of Vandazhy Panchayath, the accused was found to have kept 16 liters of arrack and apparatuses for distilling arrack. The accused is in judicial custody from 15.11.2024.

4. The learned Public Prosecutor opposed the bail application.

5. Prima facie there are materials revealing the involvement of the accused in the crime alleged. But regard being had to the period of detention undergone by him in judicial custody and the progress made in the investigation, this Court is of the view that, further detention of the accused is not necessitated and a fair and full probe can be ensured by granting bail to the petitioner with stringent conditions.

Accordingly, bail is granted to the petitioner subject to the following conditions;

1. The Petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court.
2. The petitioner shall appear before the Investigating Officer on every Saturday in between 10 a.m. and 5 p.m. for a period of two months or till Final Report is filed whichever is earlier.
3. The petitioner shall not influence or intimidate the witnesses.
4. The Petitioner shall not commit any offence while on bail.
5. If any of the above conditions are violated by the petitioner, the jurisdictional Court can cancel the bail in accordance to law.