

Pradeep vs State of Kerala

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Court : Kerala

Decided On : May-29-2020

Judge : Honourable Mr. Justice Ashok Menon

Appeal No. : Bail Appl./2955/2020

Appellant : Pradeep

Respondent : State of Kerala

Judgement :

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, 2 SANAL, AGED 42 YEARS, S/O.PRABHAKARAN,
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 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are in detention, with an undertaking that they shall appear before the jurisdictional court soon after the lockdown is withdrawn and execute a bond for the aforesaid amount each with two solvent sureties, each for the like amount to the satisfaction of the jurisdictional court.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 NR/29/05/20 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

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