

Kerala High Court

Anitha vs State Of Kerala on 26 February, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl No. 1162 of 2008()

1. ANITHA, D/O.SARASU,  
... Petitioner

Vs

1. STATE OF KERALA, REPRESENTED BY  
... Respondent

For Petitioner :SRI.R.V.SREEJITH

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice R.BASANT

Dated :26/02/2008

O R D E R

R. BASANT, J.

B.A. No. 1162 OF 2008 C

Dated this the 26th day of February, 2008

O R D E R

Application for regular bail. The petitioner, a woman, faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 1.750 litres of arrack on 18.1.08. She was arrested on 22.1.08 and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has eight other cases also registered under the Kerala Abkari Act against her. The petitioner had come to this Court earlier claiming regular bail and this Court by order dated 5.2.08 in BA.664/08 had rejected the prayer for grant of regular bail. The petitioner was permitted to move this Court again after 15.2.08. Accordingly, this petition has been filed on 18.2.08.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete

the investigation and I am satisfied BA.1162/08 that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 7.3.08. The investigators shall, in the meantime, make every endeavour to complete the investigation.

ii) She shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make herself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE) aks