

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

Bail Appl..No. 127 of 2015 ()

CRIME NO. 104/2014 OF KOYILANDY EXCISE RANGE OFFICE, KOZHIKODE

PETITIONER :

**GEETHA, AGED 48 YEARS,
W/O.RAGHAVAN NAIR, KIZHAKKEPULUPPAMALOL HOUSE,
POST IRINGATH, KOZHIKODE DISTRICT.**

BY ADV. SRI.R.K.MURALEEDHARAN

RESPONDENT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM (EXCISE INSPECTOR
EXCISE RANGE OFFICE, KOYILANDY).**

BY PUBLIC PROSECUTOR SMT. M.G. LISHA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

SUNIL THOMAS, J.

B.A. No.127 OF 2015

Dated this the 13th day of July, 2015

O R D E R

This application for anticipatory bail is filed by the sole accused in Crime No.104/2014 of Excise Range Office, Koyilandy for offence punishable under Section 55 (g) of the Abkari Act.

2. The allegation of the prosecution is that on 29/12/2014, on getting secret information about the handling of illicit liquor, Excise Party searched the premises of the petitioner. It was found that one woman was in the process of handling a barrel. On questioning and on verification, it was found that the barrel contained 200 liters of Wash. The search mahazar and contemporaneous documents were prepared. According to the prosecution, since woman police constables were not available, she was not arrested on the spot. Apprehending arrest, the accused seeks pre-arrest bail contending that she is not involved in the crime.

3. Heard and examined the records.

4. Even according to the prosecution, a huge quantity of Wash was recovered from the spot. The learned counsel for the petitioner contended that it was allegedly recovered from an incomplete building which does not rule out the possibility of strangers having access to that building. From the available materials, I am not inclined to accept

that argument of the learned counsel, for the reason that the very allegation of the prosecution is that the accused was found involved in the activity of dealing with Wash. The allegation against the accused is very serious. Hence, I am not inclined to grant bail. The learned counsel for the petitioner further submitted that to his information, the investigation has been completed and final report filed. Though this is not evident from the records made available in the Court, still, in case the final report has been filed, the petitioner may move the Jurisdictional Court seeking appropriate reliefs.

With the above observation, this bail application is dismissed.

Sd/-

SUNIL THOMAS
Judge

dpk

/true copy/ PS to Judge.

