

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936**

**Bail Appl..No. 275 of 2015 ()**

**CRIME NO. 118/2014 OF EXCISE INSPECTOR, IRINJALAKUDA.**

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**PETITIONER/2ND ACCUSED:**

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**REJI, AGED 44 YEARS, S/O.RAMAN,  
THARAYIL HOUSE, KALLUR VILLAGE,  
MAVINCHUVADU DESAM, MUKUNDAPURAM TALUK,  
THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR),  
SRI.N.L.BITTO.**

**RESPONDENTS/DEFACTO-COMPLAINANT:**

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**EXCISE INSPECTOR,  
EXCISE RANGE, IRINJALAKUDA, THRISSUR,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM -682 031.**

**BY SRI.K.A. ABDUL RASHEED, ADDL. D.G.P.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 30-01-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**B.KEMAL PASHA, J.**

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B.A. No. 275 of 2015

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Dated this the 30<sup>th</sup> day of January, 2015

**O R D E R**

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.118/2014 of the Excise Range Office, registered for the offences punishable under Sections 55(a) and (i) of the Abkari Act.

3. The allegation against the petitioner is that on 13.12.2014 at 3.30 p.m., he was found engaged in selling Indian Made Foreign Liquor in contravention of the provisions of the Abkari Act, near the Kiner bus stop waiting shed at Mavinchuvadu, within the Irinjalakuda Excise Range. On seeing the Excise party, he ran away from the spot after leaving the contraband, and a quantity of 3.750 litres of liquor in a carry bag and 750 ml. of Indian Made Foreign Liquor contained in another plastic bottle were seized from the spot.

4. Heard learned counsel for the petitioner and learned ADGP.

5. This is an application seeking anticipatory bail in an abkari case, which cannot normally be entertained. Apart from that, the learned Public Prosecutor has pointed out that he is a convict in another abkari case, which was registered as Crime No.29/2009 of the Irinjalakuda Excise Range. The allegations against the petitioner are very grave and serious. The investigation of this case is not over. Considering the seriousness of the allegations against the petitioner, and the present stage of investigation, I am satisfied that the petitioner is not entitled to the discretionary relief of anticipatory bail.

In the result, this Bail Application is dismissed.

Sd/-  
**B.KEMAL PASHA, JUDGE**

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P.A to Judge