

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Bail Appl..No. 2121 of 2015 ()

CRIME NO. 388/2015 OF KODANADU POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED :

**ITTIRA, AGED 74 YEARS
S/O.PATHROSE, THEKKEKANAM VEEDU, ALATTUCHIRA P.O.,
ERNAKULAM DISTRICT.**

BY ADV. SRI.K.SUNIL KUMAR

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

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Dated this the 3rd day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. The petitioner is alleged to have committed the offences under Secs.6 of Kerala Motor Spirit and High Speed Diesel Oil Order 1979 and Sec.3, 7(1)(a)(1) of Essential Commodities Act and Sec.16 of the Kerala Kerosene Control Order, 1968. The prosecution case is that he was found to be in possession of 42 litres of Kerosene, 11 litres of petrol, 4 litres of diesel and 1 liter of oil without any valid license to possess them. The articles mentioned above were seized from the bakery which was being conducted by the petitioner.

3. Heard both sides.

4. Learned counsel submits that the petitioner is aged 74 years and he may be granted anticipatory bail.

5. Merely because he is aged 74 years anticipatory bail cannot be granted to him. The only intention of keeping the articles in his possession was to

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make money by selling them. This is not a fit case to
invoke the jurisdiction of this Court under Sec.438
Cr.P.C.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge