

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

Bail Appl..No. 2393 of 2015 ()

CRIME NO. 422/2015 OF HOSDURG POLICE STATION, KASARGOD

PETITIONERS/ACCUSED 1 AND 2 :

- 1. PRAKASH.N., AGED 44 YEARS,
S/O.NARASINHA, RESIDING AT NAYAKARAVALLAPPU,
CHITHARI P.O, CHITHARI VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT**
- 2. N.JANARDHANAN, AGED 55 YEARS,
S/O.NARASINHA, RESIDING AT NAYAKARAVALLAPPU,
CHITHARI P.O, CHITHARI VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT**

BY ADV. SRI.T.MADHU

RESPONDENT/STATE :

**THE STATE OF KERALA
THROUGH THE STATION HOUSE OFFICER,
HOSDURG POLICE STATION, KASARAGOD
DISTRICT REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031**

BY PUBLIC PROSECUTOR SMT. LISHA M.G.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

SUNIL THOMAS, J.

B.A. No. 2393 of 2015

Dated this the 14th day of July, 2015

O R D E R

The petitioners are accused nos. 1 and 2 in Crime No. 422/2015 of Hosdurg Police Station for offences punishable under Section 55(a) of the Abkari Act.

2. The allegation of the prosecution is that on 16.04.2015 at about 6.30 p.m the police got secret information about the sale of IMFL and on reaching the spot, two persons ran away from the spot leaving behind 19 bottles of IMFL. It was taken into custody after preparation of the seizure mahazar. Apprehending arrest, the petitioners have approached this Court seeking pre arrest bail.

3. Heard and examined the records.

4. As per the records, the identity of the

petitioners were confirmed at the spot itself, when they ran away from the spot on seeing the police party.

Considering the nature of allegation, and that it is an Abkari matter, I am not inclined to exercise the jurisdiction of Section 438 Cr.PC. Hence the petition is dismissed.

Sd/-
SUNIL THOMAS
JUDGE

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