

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937**

**Bail Appl..No. 2971 of 2015 ()**

**CRIME NO. 36/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM DISTRICT**

**PETITIONER/ACCUSED NO.3:**

**SANTHOSH, AGED 44 YEARS,  
S/O DIVAKARAN, SARADA BHAVAN, VALIYAKULANGARA,  
OCHIRA P.O, KOLLAM DISTRICT.**

**BY ADV. SRI.NIREESH MATHEW**

**RESPONDENT/COMPLAINANT:**

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

**BY PUBLIC PROSECUTOR SMT. R.REMA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 02-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**sts**

**K. ABRAHAM MATHEW, J.**  
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**B.A.No. 2971 of 2015**  
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Dated this the 2<sup>nd</sup> day of June, 2015

**O R D E R**

Petition filed under Section 438 Cr.P.C.

2. The petitioner is alleged to have committed the offences under sections 55(a) and 67B of the Kerala Abkari Act. The prosecution case is that he was found to be in possession of 182 litres of spirit.

3. Heard.

4. Learned counsel submits that the house in which the spirit was found, belonged to his wife and she had rented it out to the second accused in this case. This is immaterial as of now. The prosecution is that the petitioner was found running away from the house from which the seizure was made. Learned Public Prosecutor submits that the petitioner is involved in some other cases also registered under the Abkari Act. I find no reason to allow this petition.

In the result, this application is dismissed.

Sd/-  
**K. ABRAHAM MATHEW**  
**JUDGE**

DST

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P.A. To Judge