

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. 3017 of 2015 ()

CRIME NO. 70/2015 OF KARUNAGAPALLY EXCISE RANGE, KOLLAM DISTRICT

PETITIONER/ACCUSED:

SOMAN, S/O.GOPALAN,AGED 52 YEARS,
RESIDING AT ALAKKATHARA VEEDU,
THAZHAVA THEKKUM MURI, PADINJARU MURI,
KARUNAGAPALLY TALUK,
FROM-EDAKKATTIL VEEDU,
PARUMALATHIKKAPUZHA DESOM, KADAPRA VILLAGE,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.ELDHO PAUL

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031
2. THE EXCISE INSPECTOR,
EXCISE RANGE, KARUNAGAPALLY-690 518

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:**

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K. ABRAHAM MATHEW, J.
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B.A. No. 3017 of 2015
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Dated this the 3rd day of June, 2015

ORDER

Petition filed u/s.439 Cr.P.C.

2. Petitioner is alleged to have committed the offences under sections 8 and 55(g) of the Kerala Abkari Act. The allegation is that he was found to be possession of five litres of arrack and 105 litres of spirit.

3. Heard.

4. The application is opposed. The allegations are very serious. The quantity of spirit seized is 105 litres. There is a *prima facie* case against the petitioner. I am not satisfied that if he is released on bail, he will not commit the very same offence again.

In the result, this application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge