

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Bail Appl..No. 3387 of 2015 ()

CRIME NO. 82/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM DISTRICT

PETITIONER/ACCUSED:

**VASUMATHI, AGED 61 YEARS,
D/O.NANI, RESIDING AT MEENATHERIL KIZHAKKATHIL VEEDU,
PRAYAR THEKKE MURI, KLAPPANA VILLAGE,
KARUNAGAPPALLY TALUK, KOLLAM DISTRICT.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 3387 of 2015

Dated this the 22nd day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused of having committed the offence under Section 55(i) of the Abkari Act. The prosecution case is that she was found selling liquor near a tea shop on a public road.

3. Heard.

4. Learned Public Prosecutor opposes the application. She submits that the petitioner is involved in some other cases also. On the other hand, the learned counsel for the petitioner submits that the petitioner has already been acquitted in all the cases. That alone cannot be a ground to grant her anticipatory bail. There is a *prima facie* case against her. This is not a fit case to grant anticipatory bail especially in view of Section 41A of the Abkari Act.

In the result, this application is dismissed. Learned counsel submits that the petitioner will surrender before the Investigating Officer. She may do so if she is so advised.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

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P.A. To Judge