

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

Bail Appl..No. 3536 of 2015

CRIME NO. 8/2015 OF EXCISE RANGE OFFICE, PATHANAMTHITTA DISTRICT.
.....

PETITIONER/ACCUSED NO 2:

**SAJI E.P., AGED 48 YEARS,
EDAYILAPARAMBIL HOUSE, PARIYARAM MURI,
ELANTHOOR VILLAGE, ELANTHOOR P.O,
KOZHENCHERY TALUK,
PATHANAMTHITTA DISTRICT, PIN - 689643.**

**BY SRI.C.C.THOMAS (SENIOR ADVOCATE)
ADVS.SRI.C.S.MANU
SRI.S.K.PREMRAJ**

RESPONDENT/COMPLAINANT & INVESTIGATING OFFICER:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. CIRCLE INSPECTOR OF EXCISE,
EXCISE ENFORCEMENT AND ANTI -
NARCOTIC SPECIAL SQUAD,
PATHANAMTHITTA DISTRICT, PIN - 680101,
(NOTICE TO WHOM MAY BE SERVED ON
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM)**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.3536 of 2015

Dated this the 5th day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.8 of 2015 of Pathanamthitta Excise Range registered for the offences under Secs.55(a) of the Kerala Abkari Act. The allegation is that about 510 litres of spirit was seized from the residential premises of the first accused. It was disclosed in the confession of the first accused that it was the petitioner who supplied it.

3. Heard both sides.

4. Learned counsel submits that the allegations are false. The petitioner is an employee attached to TS No.16. The confession of a co-accused is relevant under Sec.30 of the Evidence Act. The petitioner is involved in C.R. No.5 of 2015 of Pathanamthitta Excise Range, in which, the allegation is that he was found mixing toddy with spirit.

5. The application is opposed by the learned Public Prosecutor.

6. There are no grounds to believe that the petitioner is not guilty of the offence or that he will not commit it again if he is released on bail. This application is only to be dismissed.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge