

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

Bail Appl..No. 3614 of 2015

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

PETITIONER(S)/3RD ACCUSED:

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

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 3614 of 2015

Dated this the 30th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 55(a) and 67B of the Kerala Abkari Act. The allegation is the he was found to be in possession of 182 litres of spirit.

3. Heard.

4. The Investigating Officer seized 182 litres of spirit from the house of the petitioner. The incident took place on 13.03.2015. Thereafter, he has been absconding. He is involved in four other cases according to the learned Public Prosecutor. The application is opposed by her. The materials relied on by the prosecution *prima facie* disclose commission of the offence by the petitioner. This application cannot be entertained.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge