

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

Bail Appl..No. 3901 of 2015 ()

CRIME NO. 86/2014 OF KASARAGOD EXCISE RANGE, KASARAGOD

PETITIONER : (ACCUSED) :

**RAMU,
AGED 37 YEARS, S/O.BABU POOJARY,
NELLIKKUNNU DESOM, KASARAGOD TALUK
KASARAGOD DISTRICT.**

**BY SENIOR ADVOCATE SRI.T.SETHUMADHAVAN
BY ADVS.SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR
SMT.VANDANA MENON**

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.
(CR.NO.86/2014 OF KASARAGOD EXCISE RANGE).**

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3901 of 2015

Dated this the 9th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is said to have committed the offence under Section 55(a) of the Abkari Act.

3. On getting information from a source excise officers went to the place of occurrence from where they seized 6 litres of arrack kept in a 10 litre capacity can. It is alleged that it was the petitioner who kept the arrack.

4. Heard.

5. It is true that the excise officers have so far not collected any direct evidence to prove the occurrence. But the statement of the witnesses questioned by them indicate that there is every reason to suspect that the petitioner is the culprit. This reasonable suspicion is sufficient to arrest him. The application is opposed by the learned Public Prosecutor. At this stage there is no ground to believe that the petitioner has not committed the offence. So I am not inclined to grant anticipatory bail to

him.

In the result, this application is dismissed.

K. ABRAHAM MATHEW
JUDGE

R.AV