

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

Bail Appl..No. 3928 of 2015 ()

CRIME NO. 2/2015 OF MAVELIKKARA EXCISE RANGE OFFICE , ALAPPUZHA

PETITIONER/ACCUSED NO.3 :

**SABU, AGED 38 YEARS,
S/O.GANGADHARAN, CHAKKALA MURIYIL, SOUTH MANKUZHI
PULLIKKANAKKU (P.O.), KAYAMKULAM, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.3928 of 2015

Dated this the 16th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 55(a) and 67(B) of the Kerala Abkari Act.

3. The prosecution case is that 135 litres of spirit was seized from a Maruti Alto Car. The enquiry revealed that the petitioner is the owner of the vehicle.

4. Heard.

5. The petitioner is not the registered owner of the vehicle. But the investigating officer has collected the documents proving that by an agreement of sale he purchased the vehicle from the registered owner. The excise officers seized 135 litres of spirit from the vehicle. Prima facie the petitioner is involved in the commission of the offences. The application is opposed. Having regard to the nature of the allegations the anticipatory bail application cannot be granted.

In the result, this application is dismissed.

The learned counsel submits that the petitioner will surrender before the learned Magistrate concerned. He may do so if he is so advised.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge