

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.3952 of 2015

CR NO.68/2015 OF SULTHANBATHERY EXCISE RANGE OFFICE,WAYANAD.

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PETITIONER/ACCUSED:

**MADHU.C,AGED 32 YEARS,S/O.VASU,
CHERIKALLINMEL HOUSE,VELAMBILIMANGALAM,
SREEKRISHNAPURAM VILLAGE,PALAKKAD DISTRICT.**

BY ADV.SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.

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

pk

K. ABRAHAM MATHEW, J.

B.A. No.3952 of 2015

Dated this the 9th day of July 2015

ORDER

Petition filed under Sec.439 Cr.P.C.

2. Petitioner is accused in C.R. No.68 of 2015 of Sulthan Bathery Excise Range registered for the offences under Secs.55(a) and (i) of the Kerala Abkari Act. The prosecution case is that the petitioner was found to be in possession of 64 litres of spirit.

3. Heard both sides.

4. The learned Public Prosecutor opposed the bail application.

5. The quantity of spirit seized from the petitioner is 64 litres which had been kept concealed in a coffee plantation. It is true that he has been in custody since 03.06.2015. There are no grounds to believe that the petitioner is innocent or that he will not commit the offence again if he is released on bail.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE