

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 4682 of 2015 ()

**CRIME NO. 40/2015 OF BANDADKA EXCISE RANGE,
KASARGOD DISTRICT**

PETITIONER/ACCUSED :

**ASHOKAN.B.K. AGED 40 YEARS
S/O.KORAGAN (LATE), ADUKKATHOTTI VEEDU,
ADUKKATHOTTI PANA DESOM, KARADKA VILLAGE,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO.40/2015, BANDADKA EXCISE RANGE)
KASARAGOD DISTRICT-671 121.**

R1 & R2 BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 4682 of 2015

Dated this the 7th day of August, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No. 40 of 2015 of Badiadka Excise Range, Kasaragod. He is accused of having committed the offence under Section 8 of the Abkari Act. He was found to be in possession of three litres of arrack.

3. Heard.

4. Learned counsel submits that taking into consideration the period of custody, the petitioner may be released on bail. He has been in custody since 13.07.2015. But the offence committed by him is very serious. Possession of arrack is prohibited in Kerala. The quantity seized is three litres, which indicates the purpose for which he kept it. This is not a fit case to grant bail.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge