

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

Bail Appl..No. 5170 of 2015

CRIME NO. 227/2015 OF NOORANAD EXCISE RANGE, ALAPPUZHA DISTRICT

PETITIONER(S)/ACCUSED :

**SANTHOSHKUMAR, AGED 35 YEARS,
S/O.BALAKRISHNAN NAIR, KULATHINTE PADITTATHIL,
NOORANAD VILLAGE, MAVELIKKARA TALUK,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

Msd.

A. HARIPRASAD, J.

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B.A.No.5170 of 2015

Dated this the 7th day of September, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No. 227 of 2015 of Nooranad Excise Range and anticipating arrest in connection with an offences punishable under Sections 55(a) of the Abkari Act.

3. Prosecution contended that on 30.07.2015, at 10.50 p.m., the excise party conducted a search in a shop and seized 2100 litres of spirit. The prosecution alleges that the accused is the kingpin in the offence.

4. Heard both sides.

5. The plea raised by the petitioner that he is totally innocent is *prima facie* unacceptable.

Considering the nature of offence, I am of the view that the petitioner is not entitled to get anticipatory bail.

In the result, this application is dismissed.

Sd/-

**A. HARIPRASAD,
JUDGE**

DST

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P.A. To Judge