

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

Bail Appl..No. 5466 of 2015

CRIME NO. 22/2014 OF BADIADKA EXCISE RANGE, KASARGOD DISTRICT.

PETITIONER/ACCUSED:

**ASANTHA D'SOUZA, AGED 51 YEARS,
W/O.ALEX D'SOUZA, BEDIRAMPALLA HOUSE,
POST-ENMAKAJE, ENMAKAJE, ENMAKAJE VILLAGE,
KASARAGOD DISTRICT.**

BY ADV. SRI.V.TEKCHAND

RESPONDENT/COMPLAINANT/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 21.**
- 2. EXCISE INSPECTOR, BADIADKA EXCISE RANGE,
KASARAGOD DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.5466 of 2015

Dated this the 15th day of September, 2015

ORDER

Petitioner, who is the accused in C.R.No.22 of 2014 of Badiadka Excise Range, seeks pre-arrest bail in an offence punishable under Section 55(a) of the Abkari Act.

2. Prosecution case is that on 12.04.2014, the Excise Officers found that the petitioner was carrying Indian Made Foreign Liquor imported from Karnataka State in 23 bottles.

3. Heard both sides.

4. Considering the nature of allegations, I am not inclined to grant anticipatory bail to the petitioner. Petitioner if surrenders, in one week, before the Investigating Officer and he shall after questioning her, be produced before the learned Magistrate having jurisdiction. If the petitioner moves for bail, the learned Magistrate shall consider the application on merits as expeditiously as possible. If the petitioner fails to comply with the above condition, the officer is free to arrest her as if no order is passed in this matter.

The application is disposed of.

A. HARIPRASAD, JUDGE.