

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5710 of 2015 ()

CRIME NO. 177/2015 OF AGALI POLICE STATION, PALAKKAD DISTRICT

PETITIONER/ACCUSED NO.1 :

**MANOJ,
S/O.RAGHAVAN, AGED 34 YEARS
KILIYAMKATTAYIL HOUSE, KARARA P.O., AGALI
MANNARKKAD, PALAKKAD.**

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM - 682 031
REPRESENTING THE SUB INSPECTOR OF POLICE
AGALI POLICE STATION.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.5710 of 2015

Dated this the 30th day of September 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.177 of 2015 of Agali Police station registered for the offences punishable under Secs.353, 225, 332, 341, 143 and 147 read with Sec.149 of the Indian Penal Code and Secs.55(a), 55(i) and 58 of the Kerala Abkari Act. The prosecution case is that the petitioner along with the co-accused were found engaged in selling foreign liquor at a public road. When the Police attempted to arrest him the co-accused obstructed the Police from effecting his arrest.

3. The bail application filed by the petitioner was considered by this court on 12.05.2015 and the order in B.A. No.2181 of 2015 shows that the plea under Sec.438 Cr.P.C. was disallowed. In the absence of any change of circumstances, I am of definite view that the 2nd bail application is not maintainable. Therefore, the

bail application is devoid of any merits. In the event of the petitioner surrendering before the investigating officer he shall be interrogated and produced before the Court in the same date. The petitioner is free to move for regular bail.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/30/09/2015

P.A. To Judge