

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 7173 of 2015

CRIME NO. 671/2015 OF ARYANCODE POLICE STATION, THIRUVANANTHAPURAM
.....

PETITIONER(S)/ACCUSED:

**SAJI KUMAR, AGED 35 YEARS,
S/O.SUKUMARAN THALAKONNAM, PALLIKKODE,
OTTASEKHARAMANGALAM VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENT(S):

- 1. STATE OF KERALA,
REP BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
ARAYANCODE POLICE STATION.**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
26-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A.No.7173 of 2015

Dated this the 26th Day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. The petitioner seeks pre-arrest bail in Crime No.671/2015 of Aryancode Police Station, registered under Sections 55(a) and (i) of the Abkari Act. It is alleged that on 0-09-2015 at 07.00 p.m, while the second respondent was conducting patrol duty, they reached at a place and found the petitioner in possession of 4.850 litres of Indian made foreign liquor intended for sale. When he was questioned, he pushed the Officers aside and ran away.

3. Heard both sides.

4. The learned counsel for the petitioner contended that the petitioner is an alcoholic and he did not carry any liquor. This submission is strongly opposed by the Prosecutor.

5. It is stated that even in the first instance, he was identified by the Officers and he could not be apprehended as he escaped.

Considering the nature of allegations and the provisions in Section 41(A) of the Abkari Act and I am not inclined to grant pre-arrest bail. The bail application is dismissed.

Sd/-
A.HARIPRASAD, JUDGE.

AVS

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P.A. TO JUDGE