

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937**

**Bail Appl..No. 7324 of 2014**  
-----

**CRIME NO. 46/2014 OF THRITHALA EXCISE RANGE, PALAKKAD DISTRICT**  
-----

**PETITIONER(S)/ACCUSED :**  
-----

**JANARDHANAN, AGED 40 YEARS,  
S/O.CHATHA, PONNULLIPADY HOUSE,  
KOTHACHIRA VEDAKKU DESATH, PATTAMBY TALUK,  
NAGASSERY VILLAGE, PALAKKAD DISTRICT.**

**BY ADV. SRI.RAJIT**

**RESPONDENT(S) :**  
-----

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

**BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 07-04-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**B. KEMAL PASHA, J.**

.....  
B.A. No.7324 of 2014  
.....

*Dated this the 7<sup>th</sup> day of April, 2015*

**ORDER**

~ ~ ~ ~ ~

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.46/2014 of Thrithala Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. The allegation against the petitioner is that on 29.09.2014 at 6 p.m., he was found engaged in selling of IMFL in contravention of the provisions of the Abkari Act and on seeing the excise party, he ran away from the spot after leaving the contraband. A quantity of 1.125 litres of IMFL and 4 Indian currency notes of the denomination of ₹100/- were seized from the spot.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. This is an application seeking anticipatory bail in

an abkari matter, which cannot be entertained. Over and above it, it has been reported that the petitioner is an accused in two other abkari cases. Considering all the above, I am of the view that the petitioner is not entitled to the discretionary relief of anticipatory bail.

In the result, this bail application is dismissed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/07/04

*// True Copy //*

*PA to Judge*