

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

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU**

**FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929**

**Crl.MC.No. 1374 of 2007()**

**CP.61/2007 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOTTARAKKARA**

**PETITIONER:ACCUSED:**

**SHIVASHANKARA PILLAI, S/O.KUNJURAMAN  
PILLAI, AGED 45, SARITHA MANDIRAM,  
KUDAVTTOOR, ODANAVATTOM,KOTTARAKKARA,  
KOLLAM.**

**BY ADV. SRI.R.ARUN RAJ**

**RESPONDENT:**

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

**BY PUBLIC PROSECUTOR SRI. GIKKU JACOB**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**K.R.UDAYABHANU, J.**

**CRL.M.C.NO.1374 OF 2007.**

**Dated 27<sup>th</sup> April, 2007.**

**ORDER**

Petitioner is the accused in C.P.No. 61/2007 in the file of the JFCM-II, Kottarakkara with respect to the offence under section 8(1) and (2) of the Abkari Act. The allegation is that the petitioner was found in possession of 3 litres of arrack in a plastic can. It is submitted that the petitioner was not aware of the pendency of the case. NBW is pending. He apprehends arrest.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today onwards and file an application for bail. The court below shall, as far as possible, dispose of the application for bail on the same day. NBW is to be kept in abeyance till then. Pre trial detention is not required.

The Crl.M.C is disposed of as above.

**K.R. UDAYABHANU, JUDGE.**

Kvm/-