

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 28TH FEBRUARY 2011 / 9TH PHALGUNA 1932

Bail Appl..No. 1399 of 2011()

CRIME NO.13/2011 OF KAYAMKULAM EXCISE RANGE, ALAPPUZHA DISTRICT

PETITIONER/ACCUSED

**RAMACHANDRAN, AGED 65, S/O.GOPALAN,
AMBAKUDI HOUSE, MUTHUKULAM NORTH MURI,
MUTHUKULAM VILLAGE.**

**BY ADV. SRI.K.R.SUNIL
SRI.REENA GOPINATH**

RESPONDENT(S): COMPLAINANT

**THE EXCISE INSPECTOR,
KAYAMKULAM EXCISE RANGE,
REP.BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SRI.C.S.HRITHWIK

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28/02/2011, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

V. RAMKUMAR, J.

B.A. No. 1399 of 2011

Dated this the 28th day of February, 2011.

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the sole accused in Crime No.13 of 2011 of Kayamkulam Excise Range for an offence punishable under sec. 8(i)(ii) of the Abkari Act for allegedly having been found in possession of one litre of arrack, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application contending inter alia that the petitioner is an accused in yet another abkari crime.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the grounds enumerated under sec.41A (b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

With the above observation this Application is dismissed.

V.RAMKUMAR, JUDGE.

rv

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P.A to Judge.

