

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 31ST DAY OF JANUARY 2012/11TH MAGHA 1933

BA.No. 155 of 2012 ()

CRIME NO. 98/2011 OF EXCISE RANGE OFFICE, AGALI, PALAKKAD

PETITIONER/ACCUSED:

RANGASWAMI
S/O.KAKKI, THACHAMPADI, PUDUR GRAMA PANCHAYAT,
PUDUR VILLAGE, MANARKKAD TALUK, PALAKKAD.

BY ADV. SRI.S.R.SREEJITH

RESPONDENT/COMPLAINANT:

STATE OF KERALA
THROUGH THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE,
AGALI, PALAKKAD DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.K. RAJEEV

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31-01-2012, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:

Mn

M.SASIDHARAN NAMBIAR, J.

B.A.NO.155 OF 2012

Dated 1st February, 2012

ORDER

Apprehending arrest in Crime No.98/2011 of Agali Excise Range, the accused filed this petition under Section 438 of Code of Criminal Procedure for anticipatory bail. The prosecution case is that petitioner was selling illicit arrack and on getting information, when the excise party reached the scene at 5 p.m on 3/12/2011, petitioner fled from the scene leaving 10 litres of illicit arrack.

Considering the nature of the offence, the necessity of custodial interrogation and the possibility of the petitioner intimidating, inducing or threatening the witnesses petitioner cannot be granted anticipatory bail.

Petition is dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.