

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 30TH DAY OF APRIL 2020 / 10TH VAISAKHA, 1942

BAIL APPL.NO.2498 OF 2020

(IN CRIME NO.645/2020 OF POOYAPPALLY POLICE STATION, KOLLAM DISTRICT)

PETITIONER/1ST ACCUSED

A.VASANTHAN, AGED 48 YEARS,
S/O.BALAKRISHNAN NAIR, VASANTHA VILASAM,
MALAYIL, VELIYAM, KOLLAM DISTRICT, PIN: 691 537

BY ADV. SRI.SIJU KAMALASANAN

RESPONDENTS/STATE

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.
2. STATION HOUSE OFFICER, POOYAPPALLY POLICE STATION,
KOLLAM DISTRICT,
PIN: 691 537

BY PUBLIC PROSECUTOR SRI.E.C.BINEESH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30.04.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.G.ARUN, J.

BAIL APPL.NO.2498 OF 2020

Dated this the 30th day of April, 2020.

ORDER

This application for pre-arrest bail is filed by the 1st accused in Crime No.645/2020 of the Pooyappally Police Station, Kollam District registered for the offences under Section 8 (i) and (ii), Section 55 (g) and (h) of the Abkari Act and Section 5 of the Kerala Epidemic Diseases Ordinance-2020. The prosecution allegation is that, on 6.4.2020 at about 11.30 A.M., the Police party had found the petitioner and others engaged in manufacturing of arrack near KIP puramboke in Veliyam Village. On seeing the Police party, the petitioner and others fled from the scene. The 2nd accused was subsequently arrested and remanded to judicial custody. It is submitted by the learned Counsel for the petitioner that, the 3rd accused had approached this Court with an application for pre-arrest bail numbered as BA No.198/2020, wherein this Court granted liberty to the 3rd accused to move an application for bail before the jurisdictional Magistrate Court.

2. I have heard learned Public Prosecutor.

3. I am not inclined to grant pre-arrest bail to the petitioner, considering the prosecution allegations. At the same time, liberty is granted

to the petitioner to move appropriate application for bail before the jurisdictional magistrate court with advance notice to the Public Prosecutor concerned. In such event, the application for bail shall be considered by the learned Magistrate on the date of submission of the application by the petitioner, and appropriate orders to be passed on the same day.

Sd/-

V.G.ARUN
JUDGE

jm/30.4.2020