

indira Vs. State of Kerala

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Court : Kerala

Decided On : Dec-20-2012

Judge : Honourable Mr.Justice P.Bhavadasan

Appellant : indira

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN THURSDAY, THE 20TH DAY OF DECEMBER 2012 29TH AGRAHAYANA 193 Bail Appl..No. 9460 of 2012 () ----- CRIME NO.172/2012 OF NOORANADU EXCISE RANGE, ALAPPUZHA DISTRICT ACCUSED(S)/ACCUSED: ----- INDIRA, AGED 4 YEARS, W/O PUSHPANGADHAN, KOCHUVILAYIL, VALLIKUNNAM MURI, VALLIKUNNAM VILLAGE, MAVELIKARA TALUK. BY ADV. SRI.VINCENT JOSEPH RESPONDENT(S)/COMPLAINANT: ----- STATE OF KERALA, REPRESENTED BY THE EXCISE INSPECTOR, NOORANADU EXCISE RANGE THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI. V.S.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-12-2012, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: DSV/- P.BHAVADASAN, J ----- B.A No.9460 of 2012 ----- Dated this the 20th day of December, 2012

ORDER

The petitioner is the accused in Crime No.172/2012 of Nooranadu Excise Range, for having committed offence punishable under Section 55(1) of the Abkari Act.

2. The allegation against the petitioner is that he was found to be engaged in sale of Indian made foreign liquor, in contravention of the provisions of Abkari Act.

3. The petitioner would say that he is innocent and has been falsely implicated.

4. On going through the record, the claim of the petitioner that he is innocent does not appear to be correct. A deeper probe into the matter is unwarranted at this point of time.

5. Suffice to say that, considering the totality of facts and circumstances, it is felt that it is not a fit case where extraordinary jurisdiction needs to be exercised in favour of the petitioner. The petition is accordingly dismissed. B.A No.9460 of 2012 :

2. However, if so advised, the petitioner may surrender before the Investigating Officer on or before 28.12.2012, who after interrogation, shall produce him before the JFCM Court concerned. If the petitioner moves an application for regular bail before the said court, the learned Magistrate shall consider and pass orders thereon in accordance with law, if possible on the same day itself.
P.BHAVADASAN Judge ab

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