

A.Vasanthan vs State of Kerala

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Court : Kerala Orders

Decided On : Apr-30-2020

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : Bail Appl./2498/2020

Appellant : A.Vasanthan

Respondent : State of Kerala

Judgement :

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 (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: BAIL APPL.NO.2498 OF 2020 2

V.G.ARUN, J.

Dated this the 30th day of April, 2020.

ORDER

This application for pre-arrest bail is filed by the 1 st 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 2 nd accused was subsequently arrested and remanded to judicial custody. It is submitted by the learned Counsel for the petitioner that, the 3 rd 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 3 rd 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 BAIL APPL.NO.2498 OF 2020 3

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

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