

Kerala High Court

Usha Aged 38 Years vs State Of Kerala on 22 December, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 8143 of 2010()

1. USHA AGED 38 YEARS, D/O.PANKAJAKSHI,
... Petitioner

Vs

1. STATE OF KERALA, REPRESENTED BY EXCISE
... Respondent

For Petitioner :SRI.C.S.MANU

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice V.RAMKUMAR

Dated :22/12/2010

O R D E R

V. RAMKUMAR, J.

Bail Application No. 8143 of 2010

Dated this the 22nd day of December, 2010

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in Crime No.83/2010 of Karunagappally Excise Range for an offence punishable under Section 55(a) & (i) of the Abkari Act for allegedly having been found in possession of 4 litres of Indian Made Foreign Liquor, seeks Anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail.

Accordingly, If the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed bearing in mind the decision in Sukumari v. State of Kerala - 2001 (1) KLT 22.

With the above observation this Application is disposed of.

V.RAMKUMAR, JUDGE.

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