

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

Bail Appl..No. 194 of 2015

CRIME NO. 1420/2014 OF TANUR POLICE STATION , MALAPPURAM DISTRICT

PETITIONER(S)/ACCUSED:

**RANJITH, AGED 28 YEARS,
S/O.KRISHNAN, CHATTIKKAL HOUSE, P.O.VETOM,
TIRUR - 676 101, MALAPPURAM DISTRICT,
(REGISTRATION OWNER OF VEHICLE NO.KL-10/G.1373(GOODS CARRIAGE).**

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

.....
B.A. No.194 OF 2015

.....
Dated this the 9th day of January, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1420 of 2014 of the Tanur Police Station, Malappuram registered for the offences punishable under Section 379 of the Indian Penal Code and Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. The allegation against the petitioner is that on 24.12.2014 at about 10.30 a.m., he was found transporting river sand without any licence or authority by the lorry bearing Reg.No.KL-10G-1373.

4. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the CD.

5. The contents of the CD, *prima facie*, reveal the complicity of the petitioner. It seems that the sand illegally collected and the vehicle have been seized in the case. Investigation of the case is practically over. Custodial interrogation of the petitioner is not required for the continued investigation of the case. No criminal antecedents have been reported against the petitioner. Considering all the above, I am of the view that this is fit case wherein anticipatory bail can be granted to the petitioner.

In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the officer conducting arrest, and subject to

the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Fridays and Tuesdays commencing from 16.01.2014 for a period of three months.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge