

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

Bail Appl..No. 361 of 2015 ()

OR. NO. 2/2014 OF MURINJAPUZHA FOREST RANGE OFFICE, IDUKKI DIST.

.....

PETITIONERS/ACCUSED NO.3:

**SUNNY, S/O. KUNJAPPAN,
AGED 55 YEARS, PADANNAMACKAL HOUSE,
KANAYANKAVAYAL KARA, MURINJAPUZHA,
PERUVANTHANAM VILLAGE, IDUKKI.**

BY ADV. SRI.V.S.SHIRAZ BAVA.

RESPONDENT/STATE:

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

BY SR. PUBLIC PROSECUTOR SRI.C. RASHEED.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B. KEMAL PASHA, J.

.....
B.A. No.361 of 2015
.....

Dated this the 21st day of January, 2015

O R D E R

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 3rd accused in O.R. No.2/2014 of Murinjapuzha Forest Range registered for the offence punishable under Section 27(i)(e) of the Kerala Forest Act.

3. The allegation against the petitioner and the other accused is that on 17.09.2014 they had cut and removed a teak tree worth Rs.6,000/- from the reserve forest. The petitioner has been in custody for the period from 13.01.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Senior Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this

case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail 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 concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 28.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(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)

aks/21/01

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PA to Judge