

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Bail Appl..No. 533 of 2015 ()

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OR. NO. 1/2015 OF DY. RANGE OFFICER, SOUTH KUMARAMPEROOR
FOREST STATION, PATHANAMTHITTA.**

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PETITIONER/ACCUSED NO.1:

**ANAS, AGED 28 YEARS,
S/O.ADAM MOHAMMED, CHOONDUVILA VEEDU,
KALANJOOR MURI, PATHANAPURAM VILLAGE,
PATHANAMTHITTA.**

**BY ADVS.SRI.S.RAJEEV,
SRI.K.K.DHEERENDRAKRISHNAN,
SRI.V.VINAY.**

RESPONDENT & STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
(OR NO.1/2015 OF DY. RANGE OFFICER,
SOUTH KUMARAMPEROOR FOREST STATION,
PATHANAMTHITTA).**

BY SRI.TOM JOSE PADINJAREKARA, ADDL. D.G.P.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-01-2015, ALONG WITH BA NO.542 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

rs.

B.KEMAL PASHA, J.

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B.A. Nos.533 & 542 of 2015

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Dated this the 30th day of January, 2015

ORDER

Petitions filed under Section 439 Cr.P.C.

2. Petitioner in B.A.No.533 of 2015 is A1 and the petitioners in B.A.No.542 of 2015 is A2 and A3 in O.R. No.1 of 2015 of the Kumaramperoor Forest Station, Pathanamthitta.

3. The allegation against the petitioners is that on 12.01.2015 at 04.45 p.m., they were found in possession of a Sand Boa, which is a species of wild life, in contravention of the provisions of the Wild Life (Protection) Act, thereby committing offences punishable under Sections 2(33), 36, 9, 39(1)(a)(d), 48(a) and 51 of the Wild Life (Protection) Act. The petitioners have been in custody for the period from 13.01.2015 onwards.

4. Heard learned counsel for the petitioners and the learned Additional DGP.

5. The contents of the CD reveal that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioners. Having regard to the period undergone by the petitioners in custody, the present stage of the investigation and the absence of any criminal antecedents on their part, I am of the view that the petitioners can be enlarged on bail on conditions.

6. In the result, these Bail Applications are allowed and the petitioners shall be enlarged on bail on each of them executing a bond for ₹50,000/- (Rupees fifty 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 petitioners shall report before the Investigating Officer in between 9 a.m. and

11 a.m. on all Fridays and Tuesdays commencing from 06.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

(iv) The petitioners 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

DSV/30/1/15

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PA to Judge