

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Bail Appl..No. 989 of 2015 ()

CRIME NO. 277/2015 OF TIRUR POLICE STATION, MALAPPURAM DISTRICT

PETITIONER/ACCUSED :

**MUHAMED FAISAL, AGED 25 YEARS
S/O. ABDURAHIMAN M.P., MELAPARAMBIL HOUSE
B.P.ANGADI P.O., TIRUR TALUK.**

**BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN**

RESPONDENTS/STATE AND COMPLAINANT :

- 1. THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE
TIRUR POLICE STATION, MALAPPURAM DISTRICT.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. JUSTIN JACOB

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-06-2015,
ALONG WITH BA NO. 1468/2015 & CONNECTED CASES, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

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**B.A.Nos. 989, 1468, 1566, 1568,
1741, 2142, 2143, 2144, 2145,
2147, 2202, 2203, 2477, 2478,
2677 & 2678 of 2015**

Dated this the 12th day of June, 2015

COMMON ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under sections 379 IPC and section 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. The prosecution case is that they were found transporting river sand, without any permit or other authority.

3. Heard.

4. The documents relied on by the prosecution *prima facie* indicate involvement of the petitioners in the commission of the offences. Plundering the wealth of the nation is a very serious offence, in such cases it is not proper for the court to invoke its jurisdiction under section 438 Cr.P.C.

In the result, these applications are dismissed.

Sd/-
**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge