

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, 1937Q

Bail Appl..No. 1130 of 2015

*** CRIME NO. 318/2015 OF HOSDURG POLICE STATION , KASARGOD
(CORRECTED)
THE CRIME NO.318 OF 2015 OF HOSDURG POLICE STATION OCCURING IN THE
CAUSE TITLE, SYNOPSIS AND THE BAIL APPLICATION ARE CORRECTED AND
SUBSTITUTED AS CRIMEN NO.138 OF 2015 OF HOSDURG POLICE STATION AS PER
ORDER DTD.31/3/15, CRL.MA.2796/15 IN BA.1130/2015**

PETITIONER(S)/ACCUSED 1 AND 2:

- 1. ABDUL SALAM K., AGED 28 YEARS
S/O.MUHAMMED ALAVI, AJMAL MANZIL, ARANGADI,
KANHANGAD SOUTH P.O., KASARAGOD DISTRICT.**
- 2. SHAKEER, AGED 28 YEARS,
S/O.ABOOBACKER, AVIKKARA HOUSE, VADAKARA MUKKU,
KANHANGAD P.O., KASARAGOD DISTRICT.**

**BY ADVS.SRI.RAHUL SASI
SMT.NEETHU PREM**

RESPONDENT(S)/COMPLAINANTS:

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

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 1130 of 2015

Dated this the 12th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioners are alleged to have committed the offences under sections 379 IPC and section 20 and 21 of Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. The prosecution case is that they were found transporting river sand in a vehicle, without any permit or other authority.

3. Heard.

4. The materials relied on by the prosecution show that both the petitioners were in the vehicle which was used for transporting river sand without any authority. There is a *prima facie* case against them. It is not proper to grant them anticipatory bail.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge