

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

Bail Appl..No. 1152 of 2015 ()

O.R. NO.4/2014 OF PEECHI FOREST RANGE, THRISSUR DISTRICT.

.....

APPLICANT/ACCUSED NO.7:-

**MANOJ, AGED 29 YEARS,
KALLICKAL HOUSE, PURAPUZHA P.O.,
THODUPUZHA, IDUKKI DISTRICT.**

**BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADVS. SRI.M.REVIKRISHNAN,
SRI.VIPIN NARAYAN.**

RESPONDENT/COMPLAINANT:-

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

BY PUBLIC PROSECUTOR SRI.SHIBU GEORGE. (FOR D.G.P.).

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B. KEMAL PASHA, J.

.....
B.A. No.1152 2015
.....

Dated this the 19th day of March, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioner is the 7th accused in O.R. No.4/2014 of Peechi Forest Range Office registered for the offences punishable under Sections 2(1), (14), (16), (20), (26), (35), (36), 9,27, 29, 30, 31(1)(a), 50 and 51 of the Wildlife (Protection) Act, 1972.

3. It is alleged that the petitioner, along with A3, A4 and A10, trespassed into the reserve forest and hunted a bison and thereafter, they, along with the other accused, shared the meat.

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

5. The petitioner had earlier approached this Court for anticipatory bail through B.A.No.6277/2014 and the

same was dismissed vide order dated 02.09.2014. There is absolutely no change of circumstances. It has come out that the petitioner had also participated in the hunting of the bison. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner, the custodial interrogation of the petitioner is required for the continued investigation of this case. Matters being so, I am of the view that the petitioner is not entitled to the discretionary relief of anticipatory bail.

6. The learned counsel for the petitioner seeks for an opportunity to the petitioner to surrender before the investigating officer and to co-operate with the investigation.

In the result, this Bail Application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before

the concerned Judicial First Class Magistrate's Court, where the petitioner can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/- (B.KEMAL PASHA, JUDGE)

aks/19/03

[True copy]

P.A. to Judge