

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Bail Appl..No. 1902 of 2015

CRIME NO. 2/2015 OF KOKKATHODE FOREST STATION OFFICE , PATHANAMTITTA

PETITIONER(S)/ACCUSED NO.2:

**ANIL THOMAS, AGED 38 YEARS,
S/O. THOMAS, THYMALA HOUSE, MANJADI P.O.
THIRUVALLA, PATHANAMTHITTA DISTRICT
(SHOWN IN THE OR AS ANIL THOMAS,
AGED 38 YEARS, COOLIE, MARUTHIMOOTTIL HOUSE,
NEERAMUKKULAM, NELLIKKAPARA P.O., KOKKATHODU
ARUVAPPULAM VILLAGE, KONNI TALUK,
PATHANAMTHITTA DISTRICT).**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
EPRESENTED BY THE FOREST OFFICER,
KOKKATHODU FOREST OFFICE,
NADUVATHUMUZHI FOREST RANGE, KONNI,
PATHANAMTHITTA DISTRICT BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 1902 of 2015

Dated this the 17th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 27(1)(iv) of Kerala Forest Act and Sections 2(16), 2(35), 2(37) read with Sections 9, 39, 50, 52 of Wild Life Protection Act. The prosecution case is that he along with the co-accused trespassed into the reserve forest and attempted to hunt wild animals.

3. Heard.

4. Learned counsel submits that the petitioner believed the words of the co-accused that he was a forest guide and so he went along with him to enjoy himself and he was actually trapped by him. He comes from a place 60 Kms. away from the place of occurrence. He had no weapon with him. Having regard to these facts, I am inclined to grant anticipatory bail.

In the result, this application is allowed.

1) The Petitioner will be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only)two

solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer between 10 a.m. to 11a.m. on every second Saturday in June and July or till the final report is filed, whichever is earlier.

3) He shall not destroy or tamper with evidence.

4) He shall not get himself involved in any other criminal cases.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge