

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Bail Appl..No. 1938 of 2015

CRIME NO. 62/2015 OF AREACODE POLICE STATION, MALAPPURAM DISTRICT.
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PETITIONER/ACCUSED:

**ABDUL MUNEER MUNDODAN,
S/O.MUHAMMED, AGED 19 YEARS,
PUTHIYATH HOUSE, OZHUKOOR P.O,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.K.RAKESH**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-682031.**
- 2. THE SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION,
MALAPPURAM DISTRICT, PIN-673638.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

Bail Appln. No.1938 of 2015

Dated this the 23rd day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.62 of 2015 of Areacode Police station registered for the offences under Secs.308 and 379 of Indian Penal Code and Secs.20 and 21 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. The prosecution case is that he used his vehicle to transport river sand without any license or other documents. When the police attempted to seize the vehicle, the driver unloaded the sand to prevent the police vehicle from seizing him.

3. Heard both sides.

4. The petitioner is the owner cum driver of the vehicle. He was fully aware of the consequences of unloading the sand abruptly just in front of the police jeep which was following his vehicle. Prima facie, he has committed the offences alleged against him. This is not a

fit case to grant anticipatory bail to the petitioner.

In the result, the bail application is dismissed.

Learned counsel for the petitioner submits that the petitioner may surrender before the investigating officer.

He may do so if he is so advised.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge