

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Bail Appl.No. 2641 of 2015

CRIME NO. 803/2015 OF THALIPARAMBA POLICE STATION, KANNUR
.....

PETITIONER(S)/ACCUSED:

**RAJESH, AGED 43 YEARS,
S/O.GOVINDAN, KOOVODAN HOUSE,
BABU PARAMBU, POST KURUMATHOOR,
KARIMBAM, KANNUR - 670 142.**

BY ADV. SRI.T.K.KUNHABDULLA

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
THALIPARAMBA POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
26-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

.....
B.A.No. 2641 of 2015(A)
.....

Dated this the 26th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused of having committed the offences under sections 379, 353, 308 read with 34 IPC and section 279 IPC, section 132(1) read with 179 of Motor Vehicles Act, section 20 and 21 of KPRRB Act and section 3(2)E of PDPP Act. The prosecution case is that on getting information that some people were committing theft of river sand from a 'kadavu', the police officers attached to Thaliparamba Police Station reached the place of occurrence. Four persons were found loading a vehicle with river sand. On seeing the police, they left the place in the vehicle. The Driver drove the vehicle against the police officers. The police officers had a narrow escape. In the process the police vehicle was damaged.

3. Heard.

4. The perusal of the the case diary, *prima facie* discloses commission of the offences alleged against the petitioner. Theft of natural resources is a serious offence. It affects ecology also. The only object of the offenders is to make money. Such persons

B.A.No. 2641 of 2015(A)

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are not entitled to get the benefit of section 438 Cr.P.C.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW
JUDGE**

DST

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P.A. to Judge