

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Bail Appl..No. 2728 of 2015

CRIME NO. 616/2015 OF MANJERI POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED:

**SALAM.K.K., S/O.MOHAMMED, AGED 30 YEARS
KALAVANKADAVATH HOUSE, CHEPOOR, ANAKKAYAM AMSOM
ERNAD TALUK, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT.**

BY ADV. SRI.SURAJ.S

RESPONDENT(S)/COMPLAINANT:

- 1. STATE REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
MANJERI POLICE STATION (CRIME NO.616 OF 2015),
MALAPPURAM DISTRICT.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2728 of 2015

Dated this the 27th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner has allegedly committed the offence under Sections 379 of Indian Penal Code, read with Section 12 and Section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act.

3. The prosecution case is that at noon on 03.04.2015 the petitioner was found transporting river sand without any permit or other documents.

4. Heard.

5. The learned counsel submits that in the First Information Statement the petitioner's name does not find a place. The reason is obvious. He allegedly took to his heels when the police attempted to seize the vehicle. The incident happened in broad day light. The police could have easily identified him. The investigation revealed that the petitioner was the offender. It is not a fit case to invoke the jurisdiction of this court under Section 438

Cr.P.C.

In the result, this application is dismissed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge