

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Bail Appl..No. 2977 of 2015

CRIME NO. 368/2015 OF PANDIKAD POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED:

**MOHAMMED JAMSHEER, AGED 21 YEARS,
S/O. AYAMMU, PEECHAMANNIL HOUSE, PANDIKKAD POST,
MALAPPURAM DISTRICT.**

BY ADV. SRI.T.PRASAD

RESPONDENT(S)/COMPLAINANT:

**THE STATION HOUSE OFFICER
PANDIKKAD POLICE STATION,
MALAPPURAM DISTRICT THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA .R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K.ABRAHAM MATHEW, J.

B.A.No.2977 of 2015

Dated this the 2nd day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 379 of IPC and Sections 20 and 23 of Kerala Protection of River Banks and Regulation of Removal of Sand Act.

3. The prosecution case is that at about 11.00 in the night he was found removing river sand in a car without any permit or other authority.

4. Heard.

5. Learned counsel submits that the prosecution case is not believable. I do not find anything unbelievable in the prosecution version. Merely because the vehicle used is a car this court cannot take a view that the prosecution case is unbelievable. Prima facie, the petitioner has committed the offences alleged against him. A person who commits theft of natural resources of the nation is not entitled to grant anticipatory bail.

In the result, this application is dismissed. Learned counsel submits that the petitioner will surrender before the investigating officer. He may do so if he is so advised.

**K.ABRAHAM MATHEW
JUDGE**

pm