

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

Bail Appl.No. 3683 of 2015

CRIME NO. 599/2015 OF PONNANI POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED :

**SHOUKKATH ALI, AGED 26 YEARS,
S/O. YAHU, ANNARAMKODE HOUSE, NARIPPARAMBA P.O.,
THAVANOOR, MALAPPURAM DISTRICT-679 573.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENT(S)/COMPLAINANT & STATE :

- 1. THE SUB INSPECTOR OF POLICE,
PONNANI POLICE STATION,
MALAPPURAM DISTRICT - 679 577.**
- 2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

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B.A.No. 3683 of 2015

Dated this the 30th day of June, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 379 of Indian Penal Code read with Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. The prosecution case is that he was found transporting river sand in a lorry without any permit or other authority.

3. Heard.

4. Petitioner was the driver of the vehicle in which the river sand was being transported. Admittedly, it had no permit. *Prima facie*, he has committed the offence alleged against him . It is not all proper to grant anticipatory bail.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge