

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

Bail Appl..No. 4095 of 2015 ()

CRIME NO. 543/2015 OF SREEKANDAPURAM POLICE STATION, KANNUR

PETITIONER/ACCUSED :

**SHAMSUDHEEN K.V., AGED 36 YEARS,
S/O. ABDULLA, KALLAM VALAPPIL, KOYYAM,
KOYYAM P.O., CHENGALAYI, TALIPARAMBA TALUK.**

**BY ADVS.SRI.K.S.MADHUSOODANAN
SRI.M.M.VINOD KUMAR
SMT.K.M.RAMYA
SRI.P.K.RAKESH KUMAR
SRI.K.S.MIZVER**

RESPONDENTS/COMPLAINANT & FORMAL PARTY :

- 1. STATE OF KERALA
TO BE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. STATION HOUSE OFFICER,
SREEKANDAPURAM POLICE STATON, KANNUR.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4095 of 2015

Dated this the 17th day of July 2015

ORDER

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

2. Petitioner is accused in Crime No.543 of 2015 of Sreekandapuram Police station registered for the offences under Sec.379 of the Indian Penal Code and Secs.20 and 21 of the Protection of River Banks and Regulation of Removal of Sand Act. The prosecution case is that the lorry owned by him was used for transporting river sand without any permit or authority.

3. Heard both sides.

4. Learned counsel submits that the petitioner is not involved in the commission of the offences and he has been made an accused only because he is the R.C. owner of the vehicle. It is necessary to get an explanation from him for the use of his vehicle for illegal transportation of river sand. For that his custodial interrogation appears to be necessary. It is not proper to grant him anticipatory bail.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

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