

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

Bail Appl..No. 4241 of 2015 ()

CRIME NO. 385/2015 OF KULATHOOR POLICE STATION , MALAPPURAM DISTRICT

PETITIONER/ACCUSED :

**SULFICKER ALI,
S/O.SAINUDHEEN, AGED 23 YEARS,
RESIDING AT THALAPIL HOUSE, P.O.PANG,
PERINTHALMANNA TALUK, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.NIRMAL V NAIR
SRI.LIJO VARGHESE**

RESPONDENT :

**STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI-682 031**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

B.A. No.4241 of 2015

Dated this the 29th day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.385 of 2015 of Kulathoor Police station registered for the offences under Sec.379 of the Indian Penal Code and Secs.20 and 21 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act. The petitioner is the owner of the vehicle bearing registration no.KL-10-B-5425. The prosecution case is that he was found transporting river sand in that vehicle without any permit.

3. Heard both sides.

4. Learned counsel submits that the vehicle has been recovered and custodial interrogation of the petitioner is not necessary. He is also ready to co-operate with the investigation.

5. Anticipatory bail cannot be granted merely

because recovery has been effected and the petitioner has expressed his readiness to co-operate with the investigation. The nature of the case does not permit granting anticipatory bail.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge