

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937**

**Bail Appl..No. 4594 of 2015 ()**  
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**CRIME NO. 110/2015 OF EDAVANNA POLICE STATION , MALAPPURAM DISTRICT**  
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**NAME AND ADDRESS OF THE PETITIONER(S)/ACCUSED :**  
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**VIMAL KUMAR T.V, AGED 38 YEARS,  
S/O.VIJAYAN, THEKKEATTOM HOUSE, PALLITHODU P.O.,  
THURAVOOR, CHERTHALA.**

**BY ADV. SRI.P.K.SHAJU**

**NAME AND ADDRESS OF THE RESPONDENT(S)/STATE :**  
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**STATE OF KERALA,  
REPRESENTED BY THE SUB INSPECTOR OF POLICE,  
EDAVANA POLICE STATION, THROUGH PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 09-09-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**A.HARIPRASAD, J.**

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**B.A. No.4594 of 2015**  
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**Dated this the 9<sup>th</sup> day of September, 2015**

**ORDER**

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No. 110 of 2015 of Edavanna Police Station registered for offences punishable under Section 379 of the Indian Penal Code and Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. Petitioner is the registered owner of the vehicle. Petitioner pleaded innocence.

4. Heard both sides.

5. The offences alleged against the petitioner have a direct bearing on the ecological balance and economic interest of this Country. Therefore, I am of the view that the petitioner is not entitled to plead for pre-arrest bail under Section 438 of the Code of Criminal Procedure. He shall surrender before the Investigating Officer within two weeks from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for regular bail before the learned Magistrate. In that event, the learned Magistrate shall

consider the application as expeditiously as possible on merits.

**A. HARIPRASAD, JUDGE.**

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