

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4791 of 2015

CRIME NO. 144/2015 OF PERINTHALMANNA POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED:

1. ABDUL JALEEL A.P, AGED 34 YEARS,
S/O.MOHAMMEDKUTTY, AKKAPPARAMBIL HOUSE,
KUNNAKAVU, P.O.CHERUKARA,
MALAPPURAM DISTRICT.
2. BALASUBRAHMANIAN, AGED 35 YEAR,S
S/O.JANAKI, CHANGAMPALLI HOUSE, CHEMMALACHERY P.O.,
PULAMANTHOLE, MALAPPURAM DISTRICT.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE S.I OF POLICE
PERINTHALMANNA THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 4791 of 2015

Dated this the 18th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No. 144 of 2015 of Perinthalmanna Police Station. They are said to have committed the offence under Sections 379 read with Section of the Indian Penal Code and Section 20, 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. The prosecution case is that they were found transporting sand without permit.

4. Heard.

5. It is an admitted fact that the second petitioner has been given a notice under Section 41A Cr.P.C. There is no room for any complaint. It shows that the Investigating Officer has no malicious intention to arrest the petitioners; the Officer may issue notice under Section 41A Cr.P.C. to the first petitioner also.

With the above observations, this application is closed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge