

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

Bail Appl..No. 4885 of 2015 ()

**CRIME NO. 1/2015 OF EDAMALAYAR FOREST STATION OFFICE,
ERNAKULAM DISTRICT**

PETITIONER/ACCUSED NO.27 :

**PRADEEP KUMAR, AGED 39 YEARS,
S/O.SASI KUMAR, LAYAPPILLIL HOUSE, THALAKKODU KARA,
NERYAMANGALAM VILLAGE, KOTHAMANGALAM.**

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REP. BY THE DEPUTY RANGER (OR NO.1/15)
EDAMALAYAR FOREST STATION REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY A.D.G.P. SRI. TOM JOSE PADINJAREKKARA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4885 of 2015

Dated this the 21st day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 27th accused in OR.No.1/2015 of Edamalayar Forest Station, Ernakulam District. He is said to have committed the offences under Sections 27 (1) (e) & (iv) of the Kerala Forest Act and Sections 9, 2(2) 2(16), 2(20), 2(36), 2(37), 39, 48(a), 49, 50, 51, 57 of the Kerala Wild Life Protection Act.

3. The case was registered on the allegation that some of the accused trespassed into the reserve forest and killed several elephants and removed their tusks and sold them to some other accused. It is submitted that the petitioner is not directly involved in the commission of the offences and taking into consideration the period of custody he may be granted.

4. Heard.

5. I have perused the confession statement of the petitioner. His role is limited. It appears that releasing him on bail at this stage will not affect the investigation which is going on now. So I am inclined to grant him bail.

In the result, this application is allowed.

1. The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. He shall appear before the investigating officer between 10.am and 11.am every Wednesday till the conclusion of the investigation or five months whichever is earlier.

3. He shall not threaten or attempt to influence the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

4. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

5. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge