

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4902 of 2015

**O.R.NO.2/2015 OF KODANADU RANGE OF MEKKAPPALA FOREST STATION,
ERNAKULAM DISTRICT**

PETITIONER(S)/1ST ACCUSED:(IN CUSTODY) :

**SIVAKUMAR.N, AGED 30 YEARS,
S/O.NACHAPPAN, H.NO.7/6A, KUPPENTHERUVU,
KASIPALAYAM VILLAGE, GOPI TALUK, ERODE DISTRICT.**

BY ADV. SMT.G.VIDYA

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

=====

B.A.No. 4902 of 2015

Dated this the 17th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1st accused in O.R. No.2 of 2015 of Kodanadu Range of Mekkappala Forest Station. He is said to have committed the offences under Sections 2, 9, 39, 39(b), 42, 44, 49(b), 51 and 52 of Wildlife Protection Act, 1972. The prosecution case is that he was found transporting two tusks of an elephant.

3. Heard.

4. The petitioner has been in custody since 10.06.2015. He is entitled to statutory bail.

In the result, this application is allowed.

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

2) The petitioner shall appear before the investigating officer between 10 a.m and 11 a.m. every Monday and Thursday till the conclusion of the investigation.

- 3) *He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*
- 4) *He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5) *He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*
- 6) *He shall not leave the State of Kerala.*
- 7) *He shall not leave Ernakulam District, except without the previous permission of the learned Magistrate concerned.*
- 8) *He shall co-operate with investigation of the case.*

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge