

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937**

**Bail Appl..No. 4966 of 2015**  
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**CRIME NO. 695/2015 OF THRITHALA POLICE STATION , PALAKKAD DISTRICT**  
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**NAME AND ADDRESS OF THE PETITIONER(S)/ACCUSED :**  
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**SHAJAHAN P.P,  
S/O.HUSSAIN, PULIKKAL PARAMBIL HOUSE, ANSAR QUARTERS,  
NHANGATTIRI P.O, PALAKKAD DISTRICT.**

**BY ADV. SRI.K.A.MANZOOR ALI**

**NAME AND ADDRESS OF THE RESPONDENT(S)/STATE & COMPLAINANT :**  
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- 1. THE STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,  
THRITHALA POLICE STATION, PALAKKAD DISTRICT,  
CRIME NO.695/2015.**

**BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 20-08-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**K. ABRAHAM MATHEW, J.**

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**B.A.No. 4966 of 2015**

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Dated this the 20<sup>th</sup> day of August, 2015

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No. 695 of 2015 of Thrithala Police Station. He is accused of having committed the offences under Sections 379 of the Indian Penal Code read with Section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. The prosecution case is that he was found transporting river sand without permit.

4. Heard

5. Learned counsel submits that the petitioner is not involved in the incident and was elsewhere at the time of occurrence. The prosecution documents indicate that he was in the vehicle at the relevant time and he took to his heels when the police officers approached the vehicle. There is a *prima facie* case against him. The nature of the case does not incline me to grant anticipatory bail to the petitioner.

In the result, this application is dismissed. Learned counsel submits that the petitioner will appear before the Investigating

Officer. He may do so; if he is so advised.

Sd/-  
**K. ABRAHAM MATHEW,**  
**JUDGE**

DST

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P.A. To Judge