

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

Bail Appl..No. 5112 of 2015

CRIME NO. 485/2015 OF VAZHAKKAD POLICE STATION, MALAPPURAM DISTRICT.
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PETITIONERS/ACCUSED:

**ABDUL RASAKH P.M., AGED 38 YEARS,
S/O MAMMAD, PULPARAMBIL HOUSE,
CHERUVAYOOR.P.O, VAZHAKKAD,
MALAPPURAM, PIN-673645.**

BY ADV. SRI.R.ABDUL AHAD

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.5112 of 2015

Dated this the 22nd day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.485 of 2015 of Vazhakkad Police Station registered for offences punishable under Section 12 read with Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 and Section 379 of the Indian Penal Code.

3. Prosecution case, in short, is that on 10.06.2015 at 23.00 hours, the petitioner was found transporting river sand in a mini lorry without any permit.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

Considering the nature of allegations in the case, following directions are issued:

i. Petitioner shall appear before the investigating officer within a period of two weeks and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the

satisfaction of the investigating officer. In that event, he shall be released on bail in Crime No.485 of 2015 of Vazhakkad Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioner shall appear before the Investigating Officer as and when directed for the purpose of investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the learned Magistrate having jurisdiction is empowered to cancel the bail in accordance with law without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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