

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

Bail Appl..No. 5212 of 2015 ()

CRIME NO. 3/2015 OF SHINGAMPARA FOREST STATION, PALAKKAD DISTRICT

PETITIONERS/ACCUSED 2 AND 3:

- 1. PIOUS, S/O.ABRAHAM,AGED 34 YEARS,
CHETTIYATH HOUSE, VATTAPPARA,
PALAKKAD DISTRICT.**
- 2. BINOY, S/O.VARGHESE,AGED 32 YEARS,
KURUNTHODATHU VEEDU, VATTAPPARA,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI**

RESPONDENTS/COMPLAINANT & STATE:

- 1. THE DEPUTY RANGE FOREST OFFICER,
SHINGAMPARA FOREST STATION, PALAKKAD DISTRICT,
PIN-678 591.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5212 of 2015

Dated this the 8th day of September, 2015

ORDER

Petitioners are accused in O.R.No.3 of 2015 of Shingampara Forest Station registered for offences punishable under Sections 9, 39(b), 44(a), 48(a)(ii), 48A and 49B of the Wild Life Protection Act, 1972. It is alleged that on 20.07.2015, the DFO flying squad received an information and they conducted a raid. The first accused was found in possession of 1.795 kgs. of fat of a wild bear. It was intended for sale. On questioning, it was revealed that about two years before the petitioners assisted him in hunting down the animal.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Learned counsel for the petitioners submitted that the first accused and his family are enmical to the petitioners and there was no occasion for the petitioners to go along with the first accused for hunting as alleged by the prosecution. However, those aspects are not probalised by the materials in the case diary.

4. Considering the nature of offences and the implication of the same on the eco system, I am of the view that the petitioners are not

entitled to get anticipatory bail. Learned Prosecutor submitted that the first petitioner is involved in other forest offences also. Reckoning all these facts, I hereby direct the petitioners to surrender before the Judicial First Class Magistrate Court, Mannarkkad within two weeks and move for regular bail. If not done so, the officers are free to proceed in this matter in accordance with law.

Application is dismissed.

A. HARIPRASAD, JUDGE.

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