

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 5348 of 2015 ()

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CRIME NO. 1062/2015 OF PERINTHALMANNA POLICE STATION.**

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PETITIONER/1ST ACCUSED:

**JIBIN JAMES, S/O. JAMES, AGED 25 YEARS,
KARUVAYIL HOUSE, PALACHODU P.O.,
PERINTHALMANNA, MALAPPURAM DISTRICT.**

BY ADV. SRI.U.K.DEVIDAS.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.5348 of 2015

Dated this the 10th day of September, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1062 of 2015 of Perinthalmanna Police Station registered for the offences punishable under Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. The prosecution case is that, the petitioner was found transporting river sand in a vehicle owned by him. Petitioner pleaded innocence.

4. Heard both sides.

5. The offences alleged against the petitioner have a direct bearing on the ecological balance and economic interest of this Country. Therefore, I am of the view that the petitioner is not entitled to plead for pre-arrest bail under Section 438 Cr.P.C.

He shall surrender before the
Investigating Officer within 15 days from today
and submit himself for interrogation. The

Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits if possible on the date of surrender itself.

Sd/-
A. HARIPRASAD,
JUDGE

/ True Copy /

P.A. To Judge

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