

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

Bail Appl..No. 5429 of 2015 ()

CRIME NO. 428/2015 OF FEROKE POLICE STATION, KOZHIKODE DISTRICT

PETITIONER/ACCUSED :

**SADDAM HUSSAIN
AGED 24 YEARS, S/O.ABDUL MAJEED,
MADATHIL THAZHAM HOUSE, PALLITHAZHAM
KODAMPUZHA, FEROKE COLLEGE P.O.,
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENT & STATE :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM-682 031.
(CRIME NO.428/2015 OF FEROKE POLICE STATION
KOZHIKODE DISTRICT).**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.5429 of 2015

Dated this the 15th day of September 2015

ORDER

Petition filed under Sec.439 of Cr.P.C.

2. Petitioner is the accused in Crime No.428 of 2015 of Feroke Police station registered for the offences punishable under Secs.20 and 21 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 and Sec.379 of the Indian Penal Code. The prosecution case is that on 08.05.2015 at about 4.15 p.m., the accused was found committing theft of river sand and transporting the same in a tipper lorry, which was having no registration number.

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

4. Learned Public Prosecutor opposed the bail application. It is submitted that the petitioner is also involved in Crime No.208 of 2015 of the same Police station for similar offences.

Considering the antecedents of the petitioner, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Monday and Thursday until the final report is filed.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioner shall not involve in
any other offence during the period of bail.

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

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

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P.A. To Judge