

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. 5451 of 2015

CRIME NO. 6/2015 OF PONGANAMKAD FOREST STATION OFFICE, TRISSUR
.....

PETITIONER(S)/ACCUSED:

**K.S. ANTO, AGED 71 YEARS,
KOLLANNUR HOUSE - 2/677, S.N.PARK, POOTHOLE,
THRISSUR.**

**BY ADVS.SRI.P.PARAMESWARAN NAIR
SRI.SOORAJ T.ELENJICKAL
SRI.P.A.MOHAMMED SHAH
SRI.K.NANDAKUMAR
SMT.V.A.HARITHA
SMT.MARY RESHMA GEORGE
SMT.P.M.MAZNA MANSOOR**

RESPONDENT(S)/COMPLAINT:

**STATE OF KERALA,
THROUGH THE DEPUTY RANGE FOREST OFFICER,
PONGANAMKADU, REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

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

msv/

A.HARIPRASAD, J.

B.A No.5451 of 2015

Dated this the 22nd day of September, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the 15th accused in O.R No.6 of 2015 of Ponganamkadu Forest Station registered for offences punishable under Sections 9, 39(a) and (d), 44, 48(a), 49(B) (1) (a)(i) and 51(1) r/w Sections 2(1), (2), (11), (14), (16) (b), (31), (33) and (36) of the Wild Life Protection Act, 1972.

3. Prosecution case, in short, is that on 23-07-2015, the accused persons captured one Red Sand Boa-Eryx Johnii, a schedule IV species of reptile mentioned in the Wildlife Protection Act and retained it in custody without permission and transported it in a vehicle for the purpose of sale and thereby committed the aforementioned offences.

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

5. Learned Public Prosecutor submits that another accused

in the crime was ordered to be released on pre-arrest bail as per order in B.A No.5222 of 2015 dated 08-09-2015. Learned counsel for the petitioner submitted that he is falsely implicated in the crime. Considering the facts and circumstances of the case, following directions are made :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

**A.HARIPRASAD,
JUDGE.**