

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Bail Appl..No. 5745 of 2015

OR. NO. 3/2015 OF EDAMALAYAR FOREST STATION, ERNAKULAM DISTRICT.
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APPLICANTS/ACCUSED NO. 8 TO 10:

1. THOMAS, AGED 51 YEARS,
S/O. KOCHAPPU, THEKKILAKADAN HOUSE,
MALAYATTOOR KARA, MALAYATTOOR VILLAGE,
ALUVA TALUK.
2. ANTU, AGED 50, S/O. DEVASSY,
CHAKKISSERY HOUSE, MALAYATTOOR KARA,
MALAYATTOOR VILLAGE, ALUVA TALUK.
3. POULOSE, AGED 65,
S/O. KOLLAMPARAMBIL PAPPU,
MANAPPATTUCHIRA HOUSE, MALAYATTOOR KARA,
MALAYATTOOR VILLAGE, ALUVA TALUK.

BY ADV. SRI.THOMAS J.ANACKALLUNKAL

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE DEPUTY RANGER,
EDAMALAYAR FOREST STATION,
ERNAKULAM DISTRICT, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY SENIOR PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A.No.5745 of 2015

Dated this the 28th day of September, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.8 to 10 in O.R. No.3 of 2015 of Edamalayar Forest Station registered for the offences punishable under Sections 2(16), 2(35), 2(36), 9, 39, 51 & 52 of the Wild Life (Protection) Act and 27 (i) (e) (iv) of the Kerala Forest Act.

3. Prosecution case is that the accused 1 to 12 conspired together and to achieve their common object, armed with country gun etc., unlawfully entered the Government Reserve Forest in Malayattoor Division and hunted sloth bear and shared its meat and ghee.

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

5. Learned counsel for the petitioners submitted that in another crime this petitioners were released on bail by this Court. In this case, they were formally arrested when they were in remand in the other case.

6. Learned Public Prosecutor submitted that the investigation has advanced to a considerable extent.

7. Considering the nature of offence and the stage of investigation, I am inclined to grant bail to the petitioners with the following conditions:

- (a) The petitioners shall be released on bail on their executing a bond for ₹50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioners shall appear before the Investigating Officer on all Tuesdays and Thursdays between 10.00 a.m and 11.00 a.m.

until the final report is filed.

- (d) The petitioners shall not intimidate or attempt to influence the witnesses.
- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) Petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge