

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Bail Appl..No. 5777 of 2015

CRIME NO. 7/2015 OF VALARA FOREST STATION, IDUKKI

PETITIONER(S)/6TH ACCUSED :

**PRISTON SILVA, AGED 53 YEARS,
S/O.KARLOSE, PARADISE, PALKULANGARA BHAGOM,
PETTAH, THIRUVANANTHAPURAM.**

BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENT(S) :

**STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682 031.**

BY SRI.TOM JOSE PADINJARAKARA, ADDITIONAL D.G.P

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.5777 of 2015

Dated this the 1st day of October 2015

O R D E R

Bail applications filed under Sec.439 Cr.P.C.

2. Petitioner is the 6th accused in O.R. No.7 of 2015 of Valara Forest Station registered for the offences punishable under Secs.27(1)(e),(iv) of the Kerala Forest Act and Secs.2(16), 2(35), 2(36), 9, 39, 51(1) of the Kerala Wildlife Protection Act. The prosecution case is that the accused nos.1 to 4 trespassed into the Neriya Mangalam forest area armed with unlicensed guns and shot an elephant. After killing the animal, its tusks were removed.

3. Heard the learned counsel for the petitioners and the learned Additional Director General of Prosecution.

4. The petitioner is involved in more than 14 other cases including O.R. No.1 of 2015 of Edamalayar Forest station. His formal arrest was recorded on 11.08.2015.

Reckoning the entire facts and circumstances

of the case and the fact that 15 days have elapsed from the date of arrest and further detention of the petitioner is not necessary, 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 final report is filed.

iv. The petitioner shall not leave State of Kerala without obtaining permission from the

learned Magistrate having jurisdiction.

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

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

vii. Since the petitioner is in custody in other crimes, the bail conditions will become operative only on enlargement of the accused in the other cases.

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 /

NS/01/10/2015

P.A. To Judge