

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5847 of 2015 ()

OR NO. 1/2015 OF KALLAR FOREST RANGE, PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED A1 :

**ANIL KUMAR @ CHATHAN, AGED 37 YEARS
S/O. CHANDRAN, ACHANKOVIL GIRIJAN COLONY
ARYANKAVU VILLAGE, PUNALUR TALUK,
KOLLAM DISTRICT.**

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. Nos.5847 of 2015

Dated this the 29th day of September 2015

O R D E R

Bail application filed under Sec.439 of Cr.P.C.

2. Petitioner is the accused in O.R. No.1 of 2015 of Kallar Forest Range registered for the offences punishable under Secs.27(1)(e) and (iv) of the Kerala Forest Act and Secs.2(2), 2(16), 2(32), 2(36), 2(37), 39, 50 and 51 of the Wild Life (Protection) Act.

3. The prosecution allegation is that on 06.06.2015 at about 2.30 p.m., the forest officers found the dead body of an elephant and seen that its tusks were stolen. Investigation revealed the complicity of the petitioner in the crime.

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

5. Learned Public Prosecutor submitted that charge has already been filed and the case is now pending as C.C. No.772 of 2015 on the file of the Judicial First Class Magistrate Court-II, Pathanamthitta.

6. Learned counsel for the petitioner submitted that, after filing the charge he applied for bail which was rejected by Annexure B order.

Considering the entire facts, 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 trial court on all posting dates without any fail.

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 /

P.A. To Judge

NS