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. 5868 of 2015

CRIME NO. 684/2015 OF PANDIKAD POLICE STATION, MALAPPURAM DISTRICT.

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PETITIONER/ACCUSED:

SAHAD SALMIN.P,
S/O.MOIDEEN KOYA P., AGED 20 YEARS,
PUTHOOPPADAN HOUSE, MUNDENGARA,
EDAVANNA P.O., MALAPPURAM DIST.-676541.

BY ADV. SRI.T.K.AJITH KUMAR

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
BY THE SUB INSPECTOR OF POLICE,
PANDIKKAD POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.R.REMA

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

mbr/

A. HARIPRASAD, J.

Bail Appl. No.5868 of 2015

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Dated this the 1st day of October 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.684 of 2015 of Pandikkad Police Station registered for the offences punishable under Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. The prosecution case is that, the petitioner escorted on his motor cycle to a lorry which was involved in illegal transportation of river sand. Petitioner pleaded innocence.

4. Heard both sides.

5. The offences alleged against the petitioner have a direct bearing on the ecological balance and economic interest of this Country. Therefore, I am of the view that the petitioner is not entitled to plead for pre-arrest bail under Section 438 Cr.P.C.

He shall surrender before the Investigating Officer within 15 days from today

and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits if possible on the date of surrender itself.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/01/10/2015 P.A. To Judge