

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Bail Appl..No.5952 of 2014

**CR NO.1/2014 OF KUMARAM PEROOR SOUTH FOREST STATION,
PATHANAMTITTA.**

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PETITIONER/SUSPECTED ACCUSED:

**LIJO K.BABU,KOYIPPURATHU VEETIL,
AGED 32 YEARS,PRAKKANAM P.O.
CHENNEERKKARA VILLAGE,KOZHENCHERRY TALUK,
PATHANAMTHITTA DISTICT.**

BY ADV.SRI.M.T.SURESHKUMAR

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-06-2015, ALONG WITH BA. 7385/2014, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

Bail Appl. No.5952 of 2014

Dated this the 9th day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. The petitioner is the 3rd accused in O.R. no.1 of 2014 of the South Kuramaram Peroor Forest station in Palakkad district. The prosecution case is that on getting information that skin of a leopard was concealed in a house in possession of the 1st accused, the forest officials went there for a search. Nothing could be seized from the house. A car was found parked in front of the house. The search of the car resulted in seizure of a leopard skin kept in a bag. There were two persons in the car, one of them being the petitioner. They snatched the bag from the forest officers and drove away the car. They have thus committed the offence under Sec.51 read with Secs.9, 44 and 49B of the Wild Life Protection Act.

3. Heard both sides.

4. On the allegation that the petitioner and his co-accused assaulted the forest officials in the course of

the incident, the police registered Crime No.1247 of 2014 of Adoor Police station.

5. As mentioned earlier, the allegation in this case is that the petitioner and one of the co accused were found in the car parked in front of the house of the 1st accused.

6. Learned counsel submits that the allegation in Crime No.1247 of 2014 is that the petitioner and the co-accused were inside the house at the relevant time. Immediately after the incident, a forest officer was admitted in the hospital. The time of admission is shown as 1.45 p.m. The mahazar in this case is shown to have been prepared at 2.30 p.m.

7. Learned Public Prosecutor submits that it is the time when the officer started preparing the mahazar.

These are all suspicious circumstances. Having regard to these circumstances, I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

- 1) The petitioner shall be released on bail

after interrogation on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer between 10.00 am and 11.00 am from the date of his arrest for four days consecutively and thereafter every Monday for three months or till the final report is filed whichever is earlier.

3) He shall not destroy or tamper with evidence.

4) He shall not get himself involved in any other criminal case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /