

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Bail Appl..No. 6043 of 2015 ()

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

PETITIONERS/ACCUED NO. 3 & 4 :

- 1. MOHANAN @ AMBADI MOHAN,
AGED 37 YEARS, S/O.GOPALAN,
MOONNUMUKKU, ACHANKOVIL
ARIYANKAVU VILLAGE, PUNALUR TALUK.**
- 2. SONY, AGED 28 YEARS
S/O.SANANDAN, QUARTERS NO.36 OF SFCK, CHERUOOUTTAKAVU
CHEMABANARUVI, PIRAVANTHOOR VILLAGE, PUNALUR TALUK.**

BY ADV. SRI.A.B.MOHANAKUMAR

RESPONDENTS/STATE & COMPLAINANT :

- 1. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
KOCHI – 18.**
- 2. RANGE FOREST OFFICER
KALLAR RANGE,
PATHANAMTHITTA DISTRICT - 693 101.**

R1 & R2 BY SR. PUBLIC PROSECUTOR SRI. SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.6043 of 2015

Dated this the 5th day of October 2015

O R D E R

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

2. Petitioners are accused nos.3 and 4 in Crime No.1 of 2015 of Kallar Forest station registered for the offences punishable under Secs.2(2), 2(16), 2(32), 2(36), 2(37), 39, 50 and 51 of the Wild Life (Protection) Act. The prosecution allegation is that on 06.06.2015 at about 2.30 p.m., the forest officials found the dead body of an elephant in a state that its tusks were stolen. After registering the crime, the investigation was started. Complicity of the petitioners were revealed and they were arrested on 20.06.2015.

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

4. Learned Public Prosecutor opposed the bail application.

5. It is submitted by both sides that as per order

dated 29.09.2015 in B.A No.5847 of 2015, some other accused in this crime have been enlarged on bail.

Considering the stage of investigation and the period in which the petitioners were in custody, bail is granted to them with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.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.

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 petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Monday and Thursday till the final report is filed.

iv. The petitioners shall not intimidate or attempt to influence the witnesses, nor

shall they tamper with the evidence.

v. The petitioners 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 /

NS/05/10/2015

P.A. To Judge