

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Bail Appl..No. 6132 of 2015 ()

**OR. NO. 5/2015 OF SOUTH KUMARAMPEROOR FOREST STATION ,
PATHANAMTHITTA DISTRICT**

PETITIONERS/ACCUSED NOS. 1 TO 3 :

- 1. THOMAS KURIAN
AGED 58, S/O.KURIAN KUNJAPPAN,
AYIROOR COTTAGE (H)
ENADIMANGALAM, ADOOR TALUK.**
- 2. BINU VARGHESE
AGED 32, S/O.VARGHESE,
KUTTIYILAYYATHU VEEDU, ELAMANNOOR
ENADIMANGALAM VILLAGE, ADOOR TALUK.**
- 3. JOSEMON
AGED 48, S/O.OOMMEN GEORGE,
CHARUVILA PUTHEN VEEDU, ELAMANNOOR
ENADIMANGALAM VILLAGE, ADOOR TALUK.**

**BY ADVS.SRI.P.A.MOHAMMED SHAH
SRI.SOORAJ T. ELENJICKAL
SRI.K.NANDAKUMAR
SMT.MARY RESHMA GEORGE
SMT.V.A.HARITHA
SMT.P.M.MAZNA MANSOOR**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
THROUGH THE RANGE FOREST OFFICER, KONNI
PATHANAMTHITTA DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR. PUBLIC PROSECUTOR SRI. SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.6132 of 2015

Dated this the 7th day of October 2015

O R D E R

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

2. Petitioners are accused nos.1 to 3 in O.R. No.5 of 2015 of South Kumaramperoor Forest Station registered for the offences punishable under Secs.2(16) (20), (36), 39, 50 and 51 read with Sec.9 of the Wild Life (Protection) Act. The prosecution allegation is that on 23.09.2015 at about 10.00 a.m., the accused allegedly hunted a wild boar using explosive substance and shared the meat of the animal. The petitioners are in custody from 29.09.2015 onwards.

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

4. Learned Public Prosecutor opposed the bail application contending that the petitioners are involved in another offence of like nature.

Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioners with the

following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five 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 for interrogation on all Sundays between 10.00 a.m. and 11.00 a.m. 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/07/10/2015

P.A. To Judge