

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937**

**Bail Appl..No. 6239 of 2015**  
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**CRIME NO. 636/2015 OF MELATTOOR POLICE STATION , MALAPPURAM DISTRICT**  
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**PETITIONER(S)/6TH & 7TH ACCUSED :**  
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- 1. ABDUL SALAM, AGED 34 YEARS,  
S/O. ABDULLA, CHOLAKKAL HOUSE, KAPPU,  
THELAKKAD P.O., PERINTHALMANNA TALUK  
MALAPPURAM DISTRICT.**
- 2. YOUSUF, AGED 43 YEARS,  
S/O.MOIDEEN, ARAKKUPARAMBAN HOUSE, MELKULANGARA,  
THELAKKAD P.O., PERINTHALMANNA TALUK,  
MALAPPURAM DISTRICT.**

**BY ADV. SRI.U.K.DEVIDAS**

**RESPONDENT(S)/STATE :**  
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**STATE OF KERALA,  
REPRESENTED BY THE S.I. OF POLICE,  
MELATTOOR POLICE STATION, MALAPPURAM DISTRICT,  
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM-682 031.**

**BY PUBLIC PROSECUTOR SMT.TY.LALIZA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**A. HARIPRASAD, J.**

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**Bail Appl. No. 6239 of 2015**  
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**Dated this the 15<sup>th</sup> day of October 2015**

**O R D E R**

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos. 6 and 7 in Crime No.636 of 2015 of Melattoor Police station registered for the offences punishable under Sec.269 read with Sec.34 of the Indian Penal Code, Sec.120(e) of the Kerala Police Act and Sec.24(1) read with Sec.43 of the Water (Prevention and Control of Pollution) Act. The prosecution allegation is that on 23.11.2015 at about 5.00 a.m., the 1<sup>st</sup> accused carried chicken waste in a vehicle and thrown it in a public place including the water bodies and thereby committed the aforesaid offences.

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

4. Learned counsel for the petitioner submitted that the petitioners are workers and they are no way connected with the crime.

After hearing the learned counsel on both sides

and considering the nature of allegations, following directions are issued.

i. The petitioners shall surrender before the investigating officer within a period of one week and submit themselves for interrogation. Thereafter, each one of them shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, they shall be released on bail in Crime No.636 of 2015 of Melattoor Police station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioners shall appear before the investigating office as and when directed in writing and co-operate with the investigation in the matter.

iv. They shall not influence or

intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioners as if no order is passed.

Sd/-  
**A. HARIPRASAD**  
**JUDGE**

/ True Copy /

NS/15/10/2015

P.A. To Judge