

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

**PRESENT:**

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

**WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937**

**Bail Appl..No. 6400 of 2015 ()**

**OR. NO. 08/2015 OF KARIMBANY FOREST STATION, ERNAKULAM DISTRICT**

**APPLICANT/ACCUSED :**

**AMARSHAD  
AGED 26 YEARS, S/O KARIM,  
ISHA NIVAS, CHAKKAKALARI ROAD  
PETTA VILLAGE, THIRUVANANTHAPURAM.**

**BY ADV. SRI.VIPIN NARAYAN**

**RESPONDENT/COMPLAINANT :**

**STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY ADDL. DIRECTOR GENERAL OF PROSECUTION  
SRI. TOM JOSE PADINJAREKKARA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-11-2015,  
ALONG WITH BA. 6423/2015 & CONNECTED CASES, THE COURT ON THE  
SAME DAY PASSED THE FOLLOWING:**

**Mn**

**A.HARIPRASAD, J.**

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**B.A. Nos.6400, 6423, 6424 and 6427 of 2015**  
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**Dated this the 4<sup>th</sup> day of November, 2015**

**COMMON ORDER**

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in O.R.Nos.6 to 9 of 2015 of Karimbany Forest Station registered under Sections 2(2), 2(16), 2(20), 2(36), 2(37), 9, 39, 48(a), 49, 50, 51 and 57 of the Wild Life (Protection) Act, 1972.

3. Heard both sides.

4. Learned Prosecutor submitted that in identical matters this Court had passed orders on 02.11.2015.

5. Learned counsel for the petitioner submitted that the petitioner attempted to commit suicide on account of his implication in these crimes. He is in a depressed state of mind. He apprehends custodial torture. It is made clear that the investigating officers, in the event of his surrender, shall take care to avoid any sort of such allegation.

Considering the facts and circumstances, following directions are issued:

Petitioner, in the event of surrendering in two weeks in either of

the crimes before the investigating officer, shall be interrogated and he shall be produced before the Magistrate on the date of surrender. The Magistrate shall see whether there is any complaint regarding custodial torture. The investigating officers, if so advised, can take steps to record his formal arrest in other crimes. The Magistrate shall consider the bail application/applications of the petitioner on merits, as expeditiously as possible, if possible on the date of surrender itself.

Applications are disposed of.

**A. HARIPRASAD, JUDGE.**

**cks**