

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

Bail Appl..No. 6560 of 2015 ()

**CRIME NO. 657/2015 OF THAMARASSERY POLICE STATION,
KOZHIKODE DISTRICT**

PETITIONER/ACCUSED :

**ANSHID, AGED 22 YEARS,
S/O. HUSSAIN, KOLIKUZHAYIL VEEDU, KAITHAPOYIL,
PUTHUPADY AMSOM, THAMARASSERY, KOZHIKODE DISTRICT.**

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENTS/COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE,
THAMARASSERY POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. THE TAHASILDAR
THAMARASSERY TALUK, KOZHIKODE DISTRICT 679101.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.6560 of 2015

Dated this the 27th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.657 of 2015 of Thamarassery Police Station registered for offences punishable under Section 379 of the Indian Penal Code and Sections 20 and 21 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that petitioner is innocent of all the allegations.

5. The offences alleged against the petitioner have a direct bearing on the ecological balance and economic interest of this Country. Therefore, I am of the view that the petitioner is not entitled to plead for pre-arrest bail under Section 438 of the Code of Criminal Procedure. He shall surrender before the Investigating Officer within two weeks from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for regular bail

before the learned Magistrate. In that event, the learned Magistrate shall consider the application as expeditiously as possible on merits.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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