

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. 6561 of 2015 ()

**CRIME NO. 646/2015 OF SREEKRISHNAPURAM POLICE STATION,
PALAKKAD DISTRICT**

PETITIONER/ACCUSED :

**HANEEFA, AGED 30 YEARS,
S/O. KHADER, ILLIKKOTTUKURISSI, CHETHALLUR P.O.
CHETHALLUR VILLAGE, MANNARKKAD TALUK
PALAKKADDISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR,
HONOURABLE HIGH COURTOF KERALA AT ERNAKULAM
THROUGH SUB INSPECTOR OF POLICE,
SREEKRISHNAPURAM POLICE STATION, PALAKKAD.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**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

Bail Appl. No.6561 of 2015

Dated this the 27th day of October, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the 2nd accused in Crime No.646 of 2015 of Sreekrishnapuram Police Station registered for the offences punishable under Section 379 of the Indian Penal Code and Sections 20 & 21 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. Prosecution case is that on 04.07.2015, the petitioner was found transporting river sand in vehicle No.KL-05-A-8433, without any proper documents or authority. Petitioner pleaded innocence.

4. Heard the learned counsel for the petitioner and learned Public Prosecutor.

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 get anticipatory

bail under Section 438 of the Code of Criminal Procedure.

The petitioner shall surrender before the Investigating Officer within a period of '15 days' 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 bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits if possible on the date of surrender itself.

Sd/-
A.HARIPRASAD
JUDGE

//TRUE COPY//

P.A. TO JUDGE

AD