

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Bail Appl..No. 6771 of 2015

O.R NO. 11/2015 OF KOTTIYOOR FOREST RANGE, KANNUR DISTRICT

PETITIONER(S)/ACCUSED 1 TO 4 :

- 1. VIJITH.V., AGED 37 YEARS,
S/O.LATE ANANDAN, PUTHUKUDY HOUSE, CHAVASSERY AMSOM,
VELIYAMBRA DESOM, P.R.NAGAR P.O., KANNUR DISTRICT.**
- 2. RAJESH M., AGED 32 YEARS,
S/O.PADMANABHAN, CHAMALAKANDY HOUSE, CHAVASSERY AMSOM,
ULIYIL DESOM, KANNUR DISTRICT.**
- 3. SHAJI C., AGED 39 YEARS,
S/O.BALAKRISHNAN, UDAYAM, CHAVASSERY AMSOM,
ULIYIL DESOM, KANNUR DISTRICT.**
- 4. UTHAMAN V.K., AGED 43 YEARS,
S/O.DAMU, MOOVATTU HOUSE, CHAVASSERY AMSOM,
ULIYIL DESOM, VATTAKKAYAM P.O., KANNUR DISTRICT.**

BY ADV. SRI.CIBI THOMAS

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. THE RANGE FOREST OFFICER,
KOTTIYOOR RANGE , EDAYAR-670 650, KANNUR DISTRICT.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY SR.PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.6771 of 2015

Dated this the 29th day of October, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused 1 to 4 in O.R.No.11 of 2015 of Kottiyur Forest Range registered for offences punishable under Sections 2(1), 2 (16), 9, 39, 50 and 51 of Wild Life (Protection) Act, 1972

3. Prosecution case is that they hunted a wild boar against the provisions of law.

4. Heard both sides.

5. Learned counsel for the petitioners contended that they are not involved in any offence.

6. Learned Prosecutor opposed the bail application contending that meat recovered from the possession of the accused have been sent for analysis and prima facie, it is the meat of a wild boar

Considering the nature of allegations, following directions can be issued:

i. 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 ₹25,000/- (Rupees twentyfive 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 O.R.No.11 of 2015 of Kottiyur Forest Range.

ii. The sureties shall produce documents to establish their identity and solvency. The investigating officer shall not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioners shall appear before the investigating officer 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.

A. HARIPRASAD, JUDGE.

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