

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 7193 of 2015

O.R.NO.8/2015 OF VALARA FOREST STATION, ERNAKULAM DISTRICT

APPLICANT/4TH ACCUSED :

**AJI BRITE, AGED 34 YEARS,
S/O.RAMACHANDRAN, GURUDEVA GRANDHASALA LINE,
THIRUVANANTHAPURAM TALUK.**

BY ADV. SRI.VIPIN NARAYAN

RESPONDENT/COMPLAINANT :

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

BY SR.PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-11-2015, ALONG WITH B.A.NO.7194 OF 2015 AND CONNECTED
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

A.HARIPRASAD, J.

**B.A. Nos.7193, 7194, 7196,
7201, 7202 and 7220 of 2015**

Dated this the 20th day of November, 2015

COMMON ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is accused in O.R.Nos.1 to 3 of 2015 of Athirappilly Forest Station, O.R.No.4 of 2014 of Anakulam Forest Station and O.R.No.8 of 2015 of Valara Forest Station registered under Section 27(1)(e)(iv) of the Kerala Forest Act, 1961 and Sections 2(16), 9, 39 and 51(1) of the Kerala Wild Life Protection Act, 1972.

3. Prosecution case is that some accused persons in the crimes trespassed into the reserve forest and hunted down wild elephant. Petitioner is said to be a trader in ivory. He was remanded in various cases on different dates.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody for a long time. Learned Prosecutor also submitted that major part of investigation in all cases in respect of this petitioner is over.

Considering the nature of allegations, bail is granted to the petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond in each case for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

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

iii. In Athirappilly Forest Station crimes, petitioner shall appear before the Investigating Officer on all Saturdays between 9.00 and 10.00 a.m until final report is filed. In Anakulam Forest Station crime, he shall appear before the Investigating Officer on all Sundays between 9.00 and 10.00 a.m. until final report is filed. In Valara Forest Station Crime, he shall appear before the Investigating Officer on all Mondays between 9.00 and 10.00 a.m. until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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