

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

Bail Appl..No. 7383 of 2015

CRIME NO. 7/2015 OF NERIYAMANGALAM FOREST RANGE OFFICE, IDUKKI

PETITIONER(S)/8TH ACCUSED:

**SAJI JOSEPH @ PURATHAN SAJI, AGED 40 YEARS,
S/O.JOSEPH, RESIDING AT PURATHAYIL HOUSE,
KOOVAPPARA BHAGAM, KUTTAMPUZHA VILLAGE,
KOTHAMANGALAM TALUK, ERNAKULAM DISTRICT,
PINCODE 686691.**

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN 682031.**

BY SENIOR PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.7383 of 2015

Dated this the 1st day of December 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 8th accused in O.R. No.7 of 2015 of Neriamangalam Forest Range registered for the offences punishable under Secs.2(31), 39,(1)(b), 39(2), 39 (3)(a)(b)(c) and 59(1) of the Wild Life Protection Act. Prosecution allegation is that the petitioner is a trader in illicit ivory. He purchased ivory from the 1st accused and sold it to the 5th accused. All these transactions are illegal is the prosecution case.

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

4. Learned counsel for the petitioner submitted that the petitioner is in custody from 09.10.2015 onwards and bail may be granted to him.

Considering the nature of allegation and the fact that the petitioner is in custody from 09.10.2015, bail is granted to the petitioner with the following

conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.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 be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall surrender his

passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

vi. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/01/12/2015

P.A. To Judge