

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. 7402 of 2015 ()

CRIME NO. 816/2015 OF PANDIKKAD POLICE STATION, MALAPPURAM DISTRICT.

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PETITIONER/ACCUSED:

**AJOMON, AGED 24 YEARS,
S/O. JOHNSON, THEKKUMURIYIL HOUSE,
PULLIPADAM, MAMPAD, NILAMBUR TALUK,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN,
SRI.JITHIN LUKOSE.**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.
(IN CRIME NO.816/2015 OF PANDIKKAD POLICE STATION,
MALAPPURAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT.R. REMA.

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

rs.

A. HARIPRASAD, J.

Bail Appl. No.7402 of 2015

Dated this the 1st day of December 2015

O R D E R

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.816 of 2015 of Pandikkada Police Station registered for offences punishable under Section 379 of the Indian Penal Code and Sections 20 and 23 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 are 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.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/01/12/2015

P.A. To Judge