IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 7491 of 2015 ()

CRIME NO. 952/2015 OF KOYILANDY POLICE STATION, KOZHIKODE DISTRICT

PETITIONER/ACCUSED :

RAMJITH C.K.,
S/O.RAJU, AGED 31 YEARS
KUNNUMMAL HOUSE, CHEMANCHERI
KOILANDY TALUK, KOZHIKODE DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS/COMPLAINANTS & STATE :

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1. SUB INSPECTOR OF POLICE
KOILANDY POLICE STATION,
KOZHIKODE DISTRICT - 673 001.

2. STATE OF KERALA
(RESPONDENTS 1 & 2
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
COCHIN - 682 031)

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A.HARIPRASAD, J.

B.A. No.7491 of 2015

Dated this the 3rd day of December, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.952 of 2015 of Koyilandy Police Station registered for offences punishable under Section 379 of the Indian Penal Code and Sections 20 and 23A 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 is 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.

A. HARIPRASAD, JUDGE.

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