

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

Bail Appl..No. 7696 of 2015

OR.NO.6/2015 OF HOSDURG FOREST RANGE, KASARAGOD DISTRICT.
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PETITIONER(S)/ACCUSED:

- 1. ABDUL SATHAR, AGED 39 YEARS,
S/O.KUNHIPPA, AHAMMED, PANALAM,
PANALAM HOUSE, P.O CHEROOR,
CHENGALA VILLAGE, KASARAGOD TALUK.**
- 2. ABOOBACKER B.A, AGED 40 YEARS,
S/O.ABDULLA, VALLIPPADI HOUSE, P.O CHEROOR.
CHENGALA VILLAGE, KASARAGOD TALUK.**

BY ADV. SRI.A.ARUNKUMAR

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 015.**
- 2. THE RANGE FOREST OFFICER,
(O.R NO. 6 OF 2015 OF HOSDURG FOREST RANGE.
KASARAGOD DISTRICT) - 671315.**

BY PUBLIC PROSECUTOR SRI.SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B. SUDHEENDRA KUMAR, J.

Bail Appl. No.7696 of 2015

Dated this the 9th day of December 2015

O R D E R

This is an application filed under Sec.439 Cr.P.C.

2. Petitioners are accused in O.R. No.6 of 2015 of Hosdurg Excise Range registered under Secs.47A, 47B (1), 47C, 47F, 47G, 47H, 52 and 61A of the Kerala Forest Act, 1961 on the allegation that on 23.11.2015 at 2.30 p.m., the petitioners were found transporting sandal wood pieces totally weighing 3.2 Kgs. in a motorcycle in contravention of the provisions of the Forest Act. The petitioners were arrested from the spot and ever since they have been in custody.

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

4. It has been submitted by the learned Public Prosecutor that the petitioners are not involved in any other offence of similar nature.

5. It appears from the case diary that the major part of the investigation as regards the petitioners is almost complete.

6. Considering the facts and circumstances of the case including the fact that the petitioners are first time offenders and also taking into consideration of the stage of investigation, I am inclined to grant bail to the petitioners.

In the result, the bail application stands allowed and the petitioners shall be enlarged on bail on each of the petitioners executing a bond for Rs.30,000/- (Rupees thirty thousand only) each with two solvent sureties each, each for the like sum to the satisfaction of the jurisdictional Magistrate and subject to the following further conditions:-

1. The petitioners shall report before the investigating officer on every Monday between 9.00 a.m. and 11.00 a.m. for six months and thereafter as and when required by the investigating officer in writing to do so.

2. The petitioners shall not get involved in any other offence while on bail.

3. The petitioners shall not intimidate or influence the witnesses or in any way tamper with the investigation.

4. The petitioners shall not leave the State of Kerala without the leave of the learned Magistrate until further orders.

Sd/-
B. SUDHEENDRA KUMAR
JUDGE

/ True Copy /

NS/09/12/2015

P.A. To Judge