

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl.No. 7754 of 2015

OR NO. 16/2015 OF THODUPUZHA FOREST RANGE OFFICE

PETITIONER/3RD ACCUSED:

SUDHIN
AGED 22 YEARS, S/O.SOMAN, KAVUMPARAMBIL HOUSE
MELTHOTTY THODUPUZHA, THODUPUZHA TALUK.

BY ADV. SRI.K.M.KURIAN

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY RANGE OFFICER
THODUPUZHA FOREST RANGE OFFICE THODUPUZHA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

R BY PUBLIC PROSECUTOR SMT. SHEEBA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

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B.A. No. 7754 OF 2015

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Dated this the 18th day of December, 2015

O R D E R

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioner is the third accused in O.R. No. 16 of 2015 of Forest Range Office, Thodupuzha. The offences alleged are under Section 27(1)(e)(iii)) and (iv) of the Kerala Forest Act. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He is aged only 22. He is undergoing ITC course at Nadukani. He has no criminal antecedents. The

other two accused in this case were arrested and subsequently they were released on bail. Custodial interrogation of the petitioner is not required. He further submits that the petitioner apprehends arrest at any time.

4. Learned Public Prosecutor has opposed this petition. She admits the fact that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, stage of the investigation, age of the petitioner and the fact that no criminal antecedents have been reported against the petitioner, this Court is of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions.

Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

- 1) The petitioner shall surrender before the

Investigating Officer on or before 30.12.2015. In the event of his arrest, he shall be released on bail on his executing a bond for Rs. 15,000/- (Rupees fifteen thousand) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5) The petitioner shall not commit any similar offence while on bail.

6) The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

**Sd/-
BABU MATHEW P. JOSEPH
JUDGE**

ks.

True copy

P.S. (Hr.Gr.)To Judge