IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

WEDNESDAY, THE 19TH DAY OF AUGUST 2020 / 28TH SRAVANA, 1942

Bail Appl..No.4601 OF 2020

CRIME NO.324/2020 OF Kolathur Police Station , Malappuram

PETITIONER/S:

MUHAMMED SALEEM
AGED 32 YEARS
S/O.MOHAMMED, VELUTHETHODI HOUSE,
VADAKKEKARA, PULAMANTHOLE,
PERINTHALMANNA, MALAPPURAM DISTRICT
679323

BY ADV. SRI.K.RAKESH

RESPONDENT/S:

1 **PUBLIC PROSECUTOR**
HIGH COURT OF KERALA
682031

2 **THE STATION HOUSE OFFICER**
KOLATHUR POLICE STATION,
PALAKKAD DISTRICT
679338

R1 BY PUBLIC PROSECUTOR

OTHER PRESENT:

SRI.AMJAD ALI SR PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19.08.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

O R D E R

Dated this the 19th day of August 2020

Application for anticipatory bail under Section 438 of Cr.P.C.

The applicant is the accused in Crime No.324/2020 of Kolathur Police Station for having allegedly committed offence punishable under Section 379 of IPC and also under Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (Sand Act).

2. The prosecution case, in brief, is thus:- On 02.07.2020 at about 4.30 p.m., while the police party were on patrol duty, they found a goods jeep bearing registration No. KL-55/8453, transporting stolen river sand. The vehicle was intercepted but the applicant could not be apprehended. He apprehends arrest and therefore has approached this Court for a pre-arrest bail

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

4. The applicant has no criminal antecedents. The stolen sand and the vehicle have already been seized and confiscation proceedings as regards the vehicle has been initiated. In view of the fact that the applicant has no criminal antecedents, and that he is willing to cooperate with the investigation, the application for anticipatory bail is

allowed.

In the result, the applicant is directed to surrender before the investigating officer within two weeks. In the event of his arrest, he shall be released on bail on the execution of a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties, each for the like amount to the satisfaction of the investigating officer and on following conditions:

(i) He shall appear before the investigating officer as and when called for.

(ii) He shall not attempt to influence the witnesses or tamper with evidence.

(iii) He shall not get involved in any other similar crimes during the currency of the bail.

In case of violation of any bail condition, the prosecution is at liberty to apply for cancellation of the bail before the jurisdictional court.

Sd/-

ASHOK MENON

JUDGE

rmm