IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

THURSDAY, THE 05TH DAY OF NOVEMBER 2020 / 14TH KARTHIKA, 1942

Bail Appl..No.6991 OF 2020

CRIME NO.436/2020 OF Kuttipuram Police Station, Malappuram

PETITIONER/S:

VINEESH
SON OF VELAYUDHAN, AGED 34 YEARS,
EREAKATH HOUSE,
AYAMKALAM.P.O.,THAVANUR,
MALAPPURAM DIST 679573

BY ADV. SRI.ABDUL RAOOF PALLIPATH

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA
682031

SRI.C.N.PRABHAKARAN SR PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05.11.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 5th day of November 2020

This is an application filed under Section 438 of Cr.P.C seeking anticipatory bail.

The applicant is the accused in Crime No.436/2020 of Kuttipuram Police Station, Malappuram, for having allegedly committed offences punishable under Section 379 IPC and under Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act-2001.

2. The prosecution case, in brief, is that on 16.10.2020 at about 2.10 a.m, the police officers intercepted a lorry bearing Reg.No.KL-55-G-3634 at a place called Vellanchery in Kadakassery - Madirassery road and it was carrying illegal river sand in violation of the aforesaid provisions. The applicant was the driver of the lorry. He abandoned the lorry and fled away from there.

Apprehending arrest he has approached this Court for anticipatory bail.

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

4. In view of the fact that the lorry and the sand have already been seized by the police, custodial interrogation of the applicant may not be necessary. He does not have any criminal antecedents also.

5. In the result the bail application is allowed and the applicant is directed to surrender before the investigating officer within two weeks, and after interrogation in the event of his being arrested, he shall be released on bail on execution of a bond for Rs.50,000/-(Rupees Fifty thousand only) with two solvent sureties for the like amount each to the satisfaction of the investigating officer and on the following conditions;

1. He shall not tamper with evidence, influence or intimidate witnesses.

2. He shall appear before the investigating officer as and when called for.

3. He shall not get involved in similar offences during the bail period.

In the event of violating the bail conditions, the prosecution shall be at liberty to apply for cancellation of bail before the jurisdictional court.

Sd/-

ASHOK MENON

JUDGE

SPK