

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 30TH DAY OF SEPTEMBER 2014/8TH ASWINA, 1936

Bail Appl..No. 7017 of 2014 ()

O.R. NO. 5/2014 OF KOLLENGODE FOREST RANGE OFFICE, PALAKKAD

PETITIONER/ACCUSED :

**ASKAR, AGED 46 YEARS,
S/O.HAMSA, PARAMBIL PEEDIKA, KARIPPAMANNA,
ATTASSERY, SREEKRISHNAPURAM.**

BY ADV. SRI.K.A.HASSAN

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY FOREST RANGE OFFICER, KOLLENGODE
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA. 682 031.**

BY PUBLIC PROSECUTOR MR. SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-09-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.7017 of 2014

Dated this the 30th day of September 2014

O R D E R

Application for bail under Sec.439 of Cr.P.C.

2. Petitioner is the 1st accused in O.R. No.5 of 2014 of Forest Range, Kollengode registered for offences punishable under Secs.27(1)(d)(e)(iii) and (iv) and 47B, 47C and 47F of Kerala Forest Act, 1961.

3. Prosecution case is that on 26.08.2014, when the Excise Preventive Officer and party of Chittur Excise Circle office were conducting vehicle inspection at Chemmanampathi, they found the accused persons illegally transporting about 12 Kgs of sandal wood pieces on motorcycles. The petitioner was arrested from the place of detection.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that some of the Sections charged against the petitioner do not find a place in the Act.

6. Learned Public Prosecutor submitted that the petitioner was found in possession of sandal wood pieces which is a prohibited article. It is also submitted that other accused persons are yet to be apprehended.

7. Considering the fact that the petitioner was arrested on 26.08.2014 and investigation in respect of him has advanced, bail is granted to him with the following conditions.

i. The petitioner shall be released on bail on his executing bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Judicial First Class Magistrate Court, Chittur.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall report before the investigating officer on all Saturdays between 9.00 a.m. and 10.00 a.m. until

final report is filed.

iv. The petitioner shall not intimidate or influence the witnesses or meddle with the investigation.

v. The petitioner shall not involve in any other crime during the pendency of this case.

vi. If any one of the above conditions is violated by the petitioner, the learned Magistrate is free to cancel the bail.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS

P.A. To Judge