

64283/18 ORDER SHEET C-F 50/- (54) 3888
14/9/18
IN THE COURT OF THE XLIV ACMM COURT, BANGALORE.

(P.C.R. No. 2037/2018) CE 6424/18.

Complainant

Accused

Karnataka Bioiversity Board,
Dept. of Forest, Ecology & Environment

1. M/s. Pradhan Herbal Co.
2. Shomita Biswas
3. H.R. Prakash Babu

Date: 12/02/2017

The Administrative Officer, Karnataka Biodiversity Board, Bangalore, has filed the complaint under section 61 (a) of Biological Diversity Act 2002. R/w 200 of CRPC against the accused for an offence punishable u/Sec. 55 (2) of the Biological Diversity Act 2002. R/w Rule 15 (1) of K.B.D. Rules 2005.

For Orders.

Complainant is present. Perused the complaint.

Register as P.C.R. and call on: 14/2

XLIV ACMM BANGALORE.
12/2



CC 64241
~~Register~~

Complainant is present. Cognizance of the offence U/Sec. 55 (2) of the Biological Diversity Act 2002 R/w 15 (1) of the Karnataka Biological Diversity Rules 2005 is taken. As complainant is a public servant recording of his Sworn statement is dispensed with as contemplated under Section 200 (a) of Cr.PC.

~~Register~~ ~~P.C.~~
5/5 to Rural
no- 1 to 3. Rly 5/4
#12

XLIV ACMM BANGALORE

5/12/12
s/e to Ad



Ad for cognizance as per
one Sri. A.K. Adv. in the
filed power on behalf
of A-1 & 2 who with
apph v/s 205 of Cr.Pc
presented E-P in support
for five days.
Complaint copy furnish
to 6 for ab-

[Signature]
ADV FOR A/E 437

as anticipated 5/52
of cr. pre
will be
~~H B~~ 26/4.
[Signature]
5/4.

26-4-18

call m

CC 6424/18

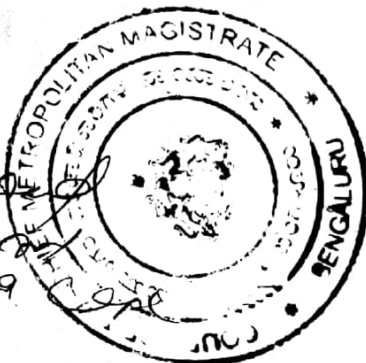
Counsel for complainant is present.

Accused no.1 and 3 are absent. counsel for accused filed EP, perused and rejected as no grounds.

Re-issue Summons to accused no.2 and issue NBW against accused no.1 and 3 through concerned police, ACP and COP. R/by 31-5-2018.

5/5/18

204 90
filed a
C/S - 309



[Signature] 26/4.
XLIV ACMM.B'LORE

Case advanced.

Accused no.3 is present.

Sri AK adv., has filed vakalath and bail application U/s 436 of Cr.P.C. for the offences punishable U/s 55(2) of Biological Diversity Act 2002 r/w 15(1) of Karnataka Biological Rules 2005 and application U/s 445 of Cr.P.C. and an application 70(2) of Cr.P.C.

Perused, alleged offences are bailable in nature, Hence proceeded pass following

ORDER

Accused no.3 is enlarged on bail subject to execution of personal bond of personal bond of **Rs.10,000/-** with cash surety of **Rs.3,000/-** along with furnishing his address proof on following conditions.

1. He shall not indulge such or similar kind of activities.
2. He shall not tamper or hamper the prosecution witness or evidence in any manner.
3. He shall regularly appear before the court.

Office is directed to take bond and forth with collect Cash surety.

In view of the above order, NBW against accused no.3 is hereby recalled.

Call on 31-5-2018.

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CC 6424/18

Accused no.3 is present and expressed intention to plead guilty.

At this stage, counsel complainant is submits that, he has to take instructions from the complainant's side.

Accordingly adjourned.

Re-issue Summons to accused no.2 through concerned police, ACP and COP.

R/by 21-6-2018.

XLIV ACMM.B'LORE

21-6-18

sp. A



A 3 in present.
Counsel for A 3 has
deposed Apple 15241
cr. pr. for present
Aug. 6
to present
name by 9/8

Accused no.3 by name H R Prakash Babu , partner of a M/S Pradhan Herbal Company is present along with his counsel Sri. SK.

Counsel for Complainant is also present.

Heard both sides on the application filed U/s 241 of Cr.P.C. accordingly accused is permitted to plead guilty in the interest of justice.

At this stage, accused no.3 as well as his counsel is submits that, since accused no.1 is a Herbal company it will be represented by accused no.3 by name H R Prakash Babu.

The learned counsel for accused has also filed a memo along with a acknowledgment for having paid **Rs. 30,028/-** as penalty to the Karnataka Biodiversity Board under form I the year 2015 to 2018.

Accordingly plea is recorded, the substance of accusation have been read over and explained to the accused no.3, he being the partner of M/s Pradhan Herbal Company pleaded his guilt as well as on behalf of accused no.1, consequences of pleading guilty made known to the accused person, his guilt appears to be voluntarily, hence, proceeded to pass following

ORDER

Accused no.3 is convicted for the offences punishable **U/s 55(2)** of



M
25/8

A1 & A2

Ed fine auto of

Rs-50000/-wde

(Rs-25000/- each)

Onb - 9208/18

(DD-161674-SR)

Dt-27/8/18

u

Biodiversity Act 2002 and sentenced followingly

1. Accused no.1 and 3 are sentenced to a fine of Rs. 25,000/- each.

and in default of payment of fine amount accused no.3 shall under go **SI for 1 month on behalf of himself as well as on behalf of accused no.3.**

Accused is hereby directed to forthwith deposit the fine amount.

At this stage, counsel for Complainant also filed a memo for the dismissal of the complaint as against accused no.2. accordingly memo is accepted and complaint against accused no.2 is dismissed as withdrawn.

(Mala. N.D.) 25/8
XLIV ACMM, B'lore.

