

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

Bail Appl..No. 615 of 2015 ()

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CRIME NO. 920/2014 OF PERINGOME POLICE STATION, KANNUR DISTRICT.**

PETITIONERS/ACCUSED NO. 2:

**AJESH KUMAR. P.P., AGED 40 YEARS,
S/O.KARUNAKARAN, PUTHIYAPURAYIL,
PERINTHATTA, MAPPADICHAL,
P.O. PORAKKUNNU, PIN - 670 306.**

BY ADV. SRI.M.V.AMARESAN.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B. KEMAL PASHA, J.

.....
B.A. No.615 of 2015
.....

Dated this the 4th day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. The petitioner is the second accused in Crime No.920/2014 of Peringome Police Station, Kannur district, registered for the offences punishable under Section 4 of the Explosive Substances Act and Section 4(1)(d) read with Section 21 of the Mines and Minerals (Development & Regulation) Act, 1957.

3. On getting reliable information that explosive substances were stored in a quarry being conducted by the petitioner, the police party went for a search at 9.30 a.m. on 19.12.2014 at the quarry. They could see accused No.1, employee of the quarry, in possession of explosive substances like 13 numbers of gelatin sticks and 2 numbers of detonators. The petitioner has been in custody

for the period from 22.01.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioner. The petitioner earlier moved this Court for anticipatory bail through B.A.No.9133/2015 and the same was dismissed with a direction to the petitioner to surrender before the investigating officer. It was complying with the said order, he has surrendered. Considering the facts and circumstances of the case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and

subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays, commencing from 11.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

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

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/04/02

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PA to Judge