

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Bail Appl..No. 952 of 2015

CRIME NO. 51/2015 OF AYYAMPUZHA POLICE STATION , ERNAKULAM

PETITIONER(S)/ACCUSED NO.1:

**VARGHESE, AGED 44 YEARS
S/O.PAULOSE, PALLIPPATTU HOUSE, JOSEPURAM KARA
ANGAMALY VILLAGE, ALUVA TALUK**

BY ADV. SRI.JAISON JOSEPH

RESPONDENT(S):

**1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM.**

**2. SUB INSPECTOR OF POLICE
AYYAMPUZHA POLICE STATION.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No. 952 of 2015

.....
Dated this the 3rd day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.51 of 2015 of Ayyampuzha registered for the offences punishable under Section 4 of Explosive Substances Act.

3. The allegation against the petitioner is that he was found keeping at his house 16 sacks containing crackers, 1.5 kgs of gun powder and some other materials for making crackers.

4. Heard learned counsel for the petitioner and learned Public Prosecutor. It seems that the said materials were kept by the petitioner for the purpose of producing crackers and not for any other purpose. The only thing is that he was keeping the same without any license. No criminal antecedents have been reported against the petitioner. Considering the facts and circumstances of the case, I am of the view that this is a fit case

wherein anticipatory bail can be granted to the petitioner.

5. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, 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 Tuesdays and Fridays, commencing from 10-3-2015 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.

B.KEMAL PASHA, J.
(Judge)

smm