

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

Bail Appl..No.1012 of 2015

(CRIME NO.22/2015 OF KUTHUPARAMBA POLICE STATION,KANNUR).

...

PETITIONER/ACCUSED:

**SANEER,AGED 27 YEARS,S/O.ABDUL KHADER,
FAIZ MANZIL,SIVAPURAM (P.O.),
PUTUPARA (VIA.),KANNUR DISTRICT.**

**BY ADVS.SMT.K.DEEPA (PAYYANUR)
SRI.V.R.NASAR**

RESPONDENTS/COMPLAINANT:

- 1. STATE OF KERALA,REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**
- 2. THE STATION HOUSE OFFICER,
KUTHUPARAMBA POLICE STATION,
KANNUR DISTRICT.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B. KEMAL PASHA, J.

.....
B.A. No.1012 2015
.....

Dated this the 2nd day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1<sup>st</sup> accused in Crime No.22/2015 of Kuthuparamba Police Station registered for the offence punishable under Section 4 of the Explosive Substances Act.

3. The allegation against the petitioner is that on 02.01.2015 he, along with the other accused, has kept in car bearing registration No.KL-10AB-2539, 200 detonators and 4 sacks each containing 50 Kg. of Ammonium Nitrate in contravention of the provisions of the Explosive Substances Act. The petitioner has been in custody for the period from 02.01.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor.

5. It has come out that the petitioner has collected and transported the said contraband items for the purpose of illegal quarrying. The investigation has revealed that apart from quarrying purpose, the explosive substances were not meant for any other activities. No criminal antecedents have been reported against the petitioner. 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 ₹50,000/- (Rupees fifty 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 Mondays and Thursdays commencing from*

*09.03.2015 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/02/03

*// True Copy //*

*PA to Judge*