

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

Bail Appl..No. 3923 of 2015 ()

CRIME NO. 469/2015 OF KALPETTA POLICE STATION, WAYANAD DISTRICT

PETITIONER/ACCUSED NO.1 :

**JOHNSON
AGED 57 YEARS, S/O.JOSEPH,
THAIPARAMBIL HOUSE, ACHOORANAM VILLAGE
POZHUTHANA P.O., WAYANADU DISTRICT.**

BY ADV. SRI.MATHEW KURIAKOSE

RESPONDENT/STATE :

**STATE OF KERALA
(CRIME NO.469/2015 OF KALPETTA POLICE STATION)
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3923 of 2015

Dated this the 9th day of July 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.469 of 2015 of Kalpetta Police station registered for the offences under Secs.9B(1) of the Explosives Act, 1884 and Sec.5 of the Explosive Substances Act, 1908. The prosecution case is that the petitioner and the co-accused were found to be in possession of explosive substances used for blasting rock near a quarry and on seeing the Police they ran away. The petitioner had license to conduct the quarry till February 2015. The alleged incident happened in May 2015.

3. Heard both sides.

4. The submission of the learned counsel is that the petitioner had applied for renewal of the license. It appears that custodial interrogation of the petitioner is not necessary for effective investigation.

In the result, the bail application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2. He shall appear before the investigating officer between 10.30 a.m and 11.30 a.m. on every 2nd and 4th Saturdays for three months, or till the final report is filed, whichever is earlier.

3. He shall not destroy or tamper with evidence.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not get himself involved in any other criminal case.

6. He shall co-operate with the investigation.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy/

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P.A. To Judge