

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 6147 of 2015 ()

AGAINST THE ORDER IN Bail Appl. 5137/2015 of HIGH COURT OF KERALA
DATED 02.09.2015

AGAINST THE ORDER IN CMP 4806/2015 of J.M.F.C.-II,KOTTARAKKARA DATED 16.09.2015

AGAINST THE ORDER IN CRMP 2544/2015 of D.C. & SESSIONS COURT, KOLLAM
DATED 28.09.2015

CRIME NO. 1003/2015 OF POOYAPALLY POLICE STATION , KOLLAM

PETITIONERS/ACCUSED 1 & 2:

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1. DINESAN AGED 55 YEARS
S/O GOVINDAN, CHEPRA VEEDU, K.B.NAGBAR 87
NEDUMANKAVU, CHC, VAKKANAD
KAREEPRA, KOLLAM DISTRICT.
 2. NAZARUDEEN @ NISSAR AGED 44 YEARS
S/O HANEEFAKUNJU, CHARUVILAPUTHENVEEDU, ALIMUKKU
PADINJATTINKARA, VELIYAM, KOLLAM.

BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.VNAIR
SRI.S.VIBHEESHANAN
SRI.K.SUDHINKUMAR

RESPONDENTS/STATE AND COMPLAINANT:

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1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.
 2. THE SUB INSPECTOR OF POLICE
POOYAPPALLY POLICE STATION, KOLLAM DISTRICT
PIN:691537.

R BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

AV

A.HARIPRASAD, J.

B.A.No.6147 of 2015

Dated this the 8th day of October, 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. The petitioners are the first and second accused in Crime No.1003 of 2015 of Pooyappally Police Station registered under Section 304 of IPC and Section 3 of Explosive Substance Act.

3. The prosecution case is that, on 13.07.2015 at 12.45 hours, the petitioners illegally blasted rock using explosives and a piece of rock fell on a worker in the neighbouring quarry resulting in his death.

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

5. The anticipatory bail application submitted by the petitioners was disposed with a direction to surrender. The learned counsel for the petitioner submitted that pursuant to the direction, they surrendered on 15.09.2015.

6. Considering the fact that, the investigation against these petitioners has advanced to a considerable extent, bail granted to the petitioners with the following conditions :

i. The petitioners shall be released on bail on

their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on all Mondays and Thursdays of every calender month until the final report is filed.

iv. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioners shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A.HARIPRASAD, JUDGE

AV

/True Copy
P.A to Judge