

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.2912 of 2024

ORDER:

This Criminal Petition is filed by the Petitioner – A6 under Sections 437 and 439 of Code of Criminal Procedure for grant of regular bail in Crime No.38 of 2024 on the file of PS Kothapalli, Karimnagar District, registered for the offences punishable under Sections 3 and 5 of Explosive Substances Act, 1908.

2. The case of the prosecution, in brief, was that on 30.01.2024 at 17:30 hours, on credible information, the Sub-Inspector of Police, PS Karimnagar along with his staff proceeded to M/s.Sandhya International Granites at Nagula Mallial Village and on search in a tin shed found Gelatin sticks and compressor wire in a cover and a carton box. On enquiry with A1 who was present there, he confessed that his owner A2 had purchased the said Gelatin sticks and compressor wire from unknown persons and was using them for utilizing for blasting in the granite quarry. On that, the Sub-Inspector of Police apprehended A1, seized the explosive material, brought him to the Police Station and registered a *suo moto* case.

3. The petitioner – A6 was arrested on 01.02.2024.

4. Heard Sri Phanindra Bhargav, learned counsel for the petitioner – A6 and the learned Additional Public Prosecutor for the respondent – State.

5. Learned counsel for the petitioner submitted that the petitioner – A6 was an employee in the said granite company and he was not concerned with the above crime. He was falsely implicated without any proper investigation. The Police arrested the petitioner only to harass him and foisted a false case against him and prayed to enlarge the petitioner on bail.

6. Learned Additional Public Prosecutor opposed grant of bail to the petitioner.

7. Perused the record.

8. Considering that this Court granted bail to A1 and A2 vide Criminal Petition Nos.2031 of 2024 and 2318 of 2024 observing that the quarry lease was granted to M/s.Sandhya International Granites and a lease agreement was also entered by the partner of M/s.Sandhya International Granites with Ms/s.Srinivasa Stone Metal Works and the explosive material was not kept for the sake of any unlawful object, but for carrying out the quarrying operations and Sections 3 and 5 of Explosive Substances Act, 1908 would not *prima facie* attract, it is considered fit to enlarge the petitioner – A6 also on bail.

9. In the result, the Criminal Petition is allowed and the petitioner – A6 shall be released on bail subject to the following conditions:

(i) The petitioner – A6 shall execute a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the III Additional District and Sessions Judge, Karimnagar.

(ii) The petitioner – A6 shall abide by the conditions stipulated under Section 437(3) of Cr.P.C.

As a sequel, miscellaneous applications pending in this petition, if any shall stand closed.

Date: 15th March, 2024
Nsk.

Dr. G.RADHA RANI, J