

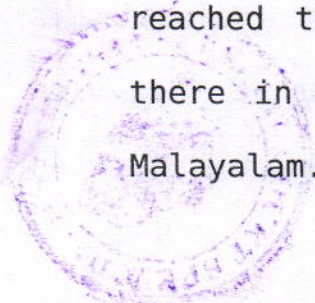
place of placement of bomb can be explained by Yoosaf P.P or Ashar." (4) "I can also show and point out the place/house of Ashar and Yoosaf P.P. at Kannur, where I had prepared and kept two bombs at Kannur meant for Calicut blasts, if taken to that place." and (5) "I can also show and point out the shop wherefrom I along with Faiz had purchased plastic pot etc. at Camp Bazar, Kannur in the name and style of Cannanore Plastic House for the purpose of preparation of bomb." PW1 has pointed out that this was the voluntary revelation of A1 and hence he prepared Ext.P17 disclosure memo on the spot signed by the witness, independent witnesses and A1. The version given by A1 in the vernacular was got written in English through the Dy.SP in the team and then it was translated into Malayalam and explained to the accused and witnesses who understood it.

136.. Based on the said disclosure memo, it is the further definite version of PW58 that at about 11 a.m on 2.3.2010 A1 led himself and party to the Markas Mosque near Calicut Tower at Kozhikode and pinpointed the place at the bottom of the staircase in the Mosque being the place where the accused persons assembled before planting the bombs. Then A1 took the team to the KSRTC Bus Stand and pinpointed the place within the KSRTC compound near Sagar Hotel being the place where the bomb was planted. A1 then took the team to the Kozhikode Private Bus Stand (Mofusil Bus Stand) being the place where the other bomb was planted. In view of the huge crowd assembled at these places when the accused



pointed out these places to the Investigating Officer and team and to prevent law and order situations that may spring up as also for the safety of the accused PW58 thought it fit not to prepare the mahazar on these spots and instead he reached the camp office at 1.30 p.m the same day along with the accused and then prepared Ext.P18 pointing out memo signed by himself and witnesses. The same also as in the case of Ext.P17 was prepared in English and then translated into the vernacular and explained to the witnesses. The next day on 3.3.2010, by, about 9.40 a.m A1 led the team and witnesses to Kannur and reached Camp Bazar at M.A Road and then A1 pointed out the shop by name Cannanore Plastic House being the place wherefrom himself and Fayiz purchased plastic pot and other articles. A1 also pinpointed a greenish plastic pot in the shop and stated that it was a similar pot which he purchased.

137.. Then A1 took the team to the first floor of KL Arcade in Thekki Bazar and stated that the two bombs prepared were kept at the right side corner of room No.4 where Ashar and Yusuf were residing and then pinpointed that place. As in the case of Ext.P18, since it was found to be impracticable to prepare the mahazar on the spot due to the heavy crowd and law and order situation that may arise and also for safety and security of the accused PW58 avoided preparing mahazars on the spot and instead reached the police club and prepared Ext.P19 pointing out memo there in English and explained it to the witness and others in Malayalam. Thereafter the team took the accused to camp office at





Kozhikode. After subjecting him to medical examination he was kept at the lock-up of Nadakavu police station.

138.. At about 6 p.m on 5.3.2010 when A1 was further questioned A1 is alleged to have stated to PW58 that "I can identify the house of Varghese @ Achayan at Vilangu, Ernakulam from where I along with Ismail had obtained gelatin sticks/detonators from Varghese during the year 2004 and out of the same (about 50 in No.), some gelatin sticks were used by me for preparation of bombs at Kannur for explosion in the year 2006 at Kozhikode, if taken to that place." This was recorded in English in the form of Ext.P20 disclosure memo on the spot. Based on the said statement of A1, on 6.3.2010 at 5.30 a.m as led by A1 the team started from Kozhikode camp office and reached Vilangu at Ernakulam by about 9.30 a.m. Then A1 led the team to Kizhakkambalam, housed at House No.234 at Kizhakkambalam, Vilangu, Ernakulam which is the house of K.C. Varghese. Then A1 led PW58 to the sitting room of the house and stated that it was there in 2004 Achayan had supplied him about 50 gelatin sticks and detonators free of cost. At that time Achayan @ Varghese was not present at the house while his son Basil K Varghese PW49 was present. On that spot PW58 prepared Ext.P21 pointing out memo in English. By about 10.45 a.m PW58 also conducted search of that house under Ext.P22 search list, but without any positive result. Subsequently he produced A1 back in this court whereupon he was taken to judicial custody.