

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

Crl.MC.No. 787 of 2015 ()

CRIME NO. 669/2014 OF KELAKOM POLICE STATION , KANNUR DISTRICT

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PETITIONER/ACCUSED:

**SHERLY VARGHESE, AGED 40 YEARS
W/O.CHANDY VARGHESE (LATE), MANNILATHU SUNIL BHAVAN
VETTIKAVALA.P.O., KOTTARAKARA, KOLLAM. PIN-691 538.**

**BY ADVS.SRI.K.SASIKUMAR
SRI.M.VIJESH KUMAR
SRI.S.ARAVIND
SRI.R.ROHITH**

RESPONDENT/STATE:

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SMT. P. MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09-02-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 787 of 2015 ()

APPENDIX

PETITIONER'S EXHIBITS

**ANNEXURE A1- A TRUE COPY OF THE FIR NO.669/14 DATED 1.12.2014 REGISTERED
BY KELAKAM POLICE, KANNUR.**

RESPONDENT'S EXHIBITS

NIL

// TRUE COPY // P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.787 of 2015

Dated this the 9th day of February, 2015

O R D E R

The petitioner herein is the sole accused in Crime No.669/2014 of the Kelakam Police Station. On the apprehension of remand to judicial custody on surrender before the trial court she seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to release her on bail, or to decide and dispose of her application for bail, without delay. Of course, the relief as sought by the petitioner cannot be granted by this Court under Section 482 of the Code of Criminal Procedure. The learned Magistrate will have to consider the request to release her on bail. It is for the court below to decide whether bail could be granted to the petitioner. The petitioner will have to surrender before the trial court and make application for bail. Let appropriate decision regarding bail be taken by the learned Magistrate. However, a direction can be made to consider and dispose of the application for bail on the date of surrender itself.

In the result, this petition is closed, with direction to the

court below that in case the petitioner makes application for bail on surrender in court, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side.

Sd/-

P. UBAID, JUDGE

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