

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

Crl.MC.No. 913 of 2015

CRL.MP 2749/2014 of JUDL.MAG.OF FIRST CLASS-I,MANJERI
CRIME NO. 190/2012 OF KALIKAVU POLICE STATION , MALAPPURAM

PETITIONER/COUNTER PETITIONER/ACCUSED:

ABDULLAKUTTY, AGED 38 YEARS
S/O.MUHAMMED, CHOLAKKAPARAMBIL HOUSE, NILAMBUR P.O.
MALAPPURAM DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS/STATE & COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM -682 031.
2. AYISHUMMA
W/O.HAMZA, KALAPPARAMBIL HOUSE, CHOKKAD P.O.
-679 332, NILAMBUR TALUK, MALAPPURAM DIST.
3. SUB INSPECTOR OF POLICE
KALIKAVU POLICE STATION, MALAPPURAM DIST -676 525.

R BY PUBLIC PROSECUTOR, SHRI JIBU P THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
13-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

- ANNEXURE-A1: TRUE COPY OF THE F.I.R IN CRIME NO.190/2012 OF
KALIKAVU POLICE STATION.
- ANNEXURE-A2: TRUE COPY OF THE ORDER OF THIS HON'BLE COURT
IN B.A.NO.8346/2012
- ANNEXURE-A3: TRUE COPY OF THE FINAL REPORT IN ANNEXURE - A1.
- ANNEXURE-A4: TRUE COPY OF THE CMP NO.2749/2014 IN C.C.NO.743/2014
- ANNEXURE-A5: TRUE COPY OF THE OBJECTION OF THE PETITIONER
- ANNEXURE-A6: TRUE COPY OF THE ORDER OF THE LEARNED MAGISTRATE
DATED 17.1.2015
- ANNEXURE-A7: TRUE COPY OF THE RECEIPT DATED NIL.
- ANNEXURE-A8: TRUE COPY OF THE F.I.R IN CRIME NO.167/2007 OF
KARUVAKKUNDU POLICE STATION.

RESPONDENTS' EXHIBITS : NIL

B.KEMAL PASHA, J.

Crl.M.C. No.913 of 2015

Dated this the 13th day of February 2015

ORDER

The petitioner has come up with a prayer to call for the records in order dated 17.1.2015 in C.M.P. No.2749/2014 in C.C. No.743/2014 of Judicial First Class Magistrate's Court, Manjeri and quash the same.

2. Heard.

3. It seems that a non-bailable warrant is pending against the petitioner in this case. It is for the petitioner to surrender before the court below and seek regular bail. The court below shall dispose of such an application, if any filed, on the date of surrender itself, provided advance notice is served on the Assistant Public Prosecutor in charge of the case. It is made clear that the learned

Magistrate shall pass such an order, quite untrammelled by the fact that his bail is cancelled by the learned Magistrate.

With the above said directions, this Crl.M.C. is disposed of.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge