

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

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

Crl.MC.No. 933 of 2015 ()

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CP 12/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT, SASTHAMCOTTA
CRIME NO. 164/2014 OF KARUNAGAPPALLY EXCISE RANGE OFFICE , KOLLAM
DISTRICT
=====**

PETITIONER/ACCUSED:

**RADHAKRISHNAN, AGED 51 YEARS
S/O.VASUDEVAN, VISHNU BHAVAN, ADHINADU SOUTH MURI
ADHINADU VILLAGE, KARUNAGAPPALLY TALUK
KOLLAM DISTRICT.**

BY ADV. SRI.R.RAJESH(PULLIKADA)

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT. P. MAYA

**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-I: A TRUE COPY OF MEDICAL CERTIFICATE DATED 8.3.2014 ISSUED
FROM HOLY CROSS HOSPITAL, KOTTIYAM.**

RESPONDENT'S EXHIBITS

NIL

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

P. UBAID, J.

Crl.M.C.No.933 of 2015

Dated this the 13th day of February, 2015

O R D E R

The petitioner herein is the accused in C.P.No.12/2015 of the Judicial First Class Magistrate Court, Sasthamcotta. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court, he seeks orders from this Court under Section 482 of the Code of Criminal Procedure, directing the court below to decide and dispose of his application for bail, without delay. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request for 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 court below and make application for bail. He will have to explain the reason for his absence in court and he will have to explain the circumstances in which the warrant happened to be issued. Anyway, 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 C.P.No.12/2015, 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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