

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

Crl.MC.No. 993 of 2015 ()

AGAINST CP 134/2013 of J.M.F.C.,CHAVAKKAD
CRIME NO. 921/2013 OF CHAVAKKAD POLICE STATION , TRISSUR

PETITIONER(S)/2ND ACCUSED:

JITHIN, AGED 34 YEARS,
S/O.SATHYAN, MOOLEKATTU HOUSE, AZHIMUGHAM
KADAPURAM, CHAVAKKAD TALUK.

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENT(S)/RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
 2. THE SUB INSPECTOR OF POLICE,
CHAVAKKAD POLICE STATION, THRISSUR DISTRICT.

BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
18-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 993 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE-1 TRUE COPY OF THE ORDER DTD.16/1/2015 IN CRL.M.C.300/2015
PASSED BY THE THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.S TO JUDGE

P.UBAID, J.
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**Crl.M.C No.993 of 2015**  
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Dated this the 18th February, 2015

ORDER

The petitioner herein is the 2nd accused in C.P No.134 of 2013 of the Judicial First Class Magistrate's Court, Chavakkad. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial 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 to recall the warrant. 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. 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. When such satisfactory explanation is there, the question of releasing him on bail on appropriate conditions

can be thought of by the learned Magistrate. 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.134 of 2013, 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**

ma

/True copy/

P.S to Judge