

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Crl.MC.No. 1290 of 2015 ()

IN CC 1397/2005 of JUDL.M.F.C.-I, ERNAKULAM

PETITIONER(S)/ACCUSED NO.1:

**ABDUL MAJEED K.H
S/O.HASSAN HAJI, ILLICKAL KAVUNGAPADAM
CHANGAMPUZHA NAGAR, PATHADIPALAM, KALAMASSERY
KOCHI-33.**

BY ADV. SRI.N.K.MOHANLAL

RESPONDENT(S)/COMPLAINANT NO.2:

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. KURIAN K.J.
S/O.JOSEPH K.V., KANJIRAMALAYIL
THYAPARAMBIL VEEDU Y.M.J.ROAD, PALARIVATTOM, KOCHI-25.**

R1 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE. P.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 03-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 1290 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNX.A1 - TRUE COPY OF THE PRIVATE COMPLAINT IN C.C.NO.1397/2005 FILED
BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT II, ERNAKULAM.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA TO JUDGE
sab

P.UBAID, J.

Crl. M.C No.1290 of 2015

Dated this the 3rd day of March, 2015.

O R D E R

The petitioner herein is the first accused in C.C No.1397 of 2005 of the Judicial First Class Magistrate Court-I, Ernakulam. 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 consider and to dispose of the application for bail. It is for the learned Magistrate 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. 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 L.P No.171 of 2010, the same shall be judiciously considered and decided, on the date of surrender itself.

P.UBAID,
JUDGE

sab