

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Crl.MC.No. 1335 of 2015 ()

CRIME NO. 2012/2014 OF VALAPPAD POLICE STATION , TRISSUR

PETITIONER(S)/ACCISED:

1. SUBASH AGED 25 YEARS
S/O.SUBRAHMANIAN, CHAZHOOR HOUSE, NEAR CHITHIRA MOVIES
VALAPAD, THRISSUR.
2. SUBEESH
S/O.SUBRAHMANIAN, CHAZHOOR HOUSE, NEAR CHITHIRA MOVIES
VALAPAD, THRISSUR.
3. SARASU @ SARASWATHY, AGED 60 YEARS,
W/O.SUBRAHMANIAN, CHAZHOOR HOUSE, NEAR CHITHIRA MOVIES
VALAPAD, THRISSUR.
4. SUBRAHMANIAN
CHAZHOOR HOUSE, NEAR CHITHIRA MOVIES, VALAPAD
THRISSUR.

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENT(S)/STATE:

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682 031.
2. THE SUB INSPECTOR OF POLICE
VALAPPAD POLICE STATION, THRISSUR DISTRICT 680 001.

R1 & R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.P

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
04-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.UBAID, J.
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**Crl.M.C No.1335 of 2015**  
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Dated this the 4th March 2015

ORDER

The petitioners herein are the four accused in Crime No.2012 of 2014 of Valappad Police Station. On the apprehension of arrest and remand to judicial custody in execution of warrant of arrest issued from the trial court they seek orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to recall the warrant and to decide and dispose of their application for bail, without delay. Of course, the main relief as sought by the petitioners cannot be granted by this Court under Section 482 of the Code of Criminal Procedure. 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 petitioners. Of course, the petitioners will have to surrender before the trial court and make application for bail. He will have to explain the reason for their 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 petitioners make application for bail on surrender in Crime No.2012 of 2014, 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