

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

CrI.MC.No. 1445 of 2015 ()

IN LP 45/1993 of J.M.F.C.,IRINJALAKUDA

PETITIONER(S)/SOLE ACCUSED:

**RAVI @ RAVINDRAN AGED 55 YEARS
S/O.PRABHAKARA MENON, PALAKKAL HOUSE
KORIMBISSERY DESAM, MANAVALASSERY VILLAGE
MUKUNDAPURAM TALUK**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO**

RESPONDENT(S)/STATE OF KERALA AND COMPLAINANT:

- 1. THE STATE OF KERALA
REP. BY THE SUB INSPECTOR OF POLICE
KATTOOR POLICE STATION
THRISSUR THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM - 682031.**
 - 2. GIRIJAVALLABHAN, S/O.PARAMESWARA MENON, KANNAMPILLY HOUSE,
KRIMBISSERY DESAM, MANAVALASSERY VILLAGE, AGED 55 YEARS
MUKUNDAPURAM TALUK - 680001**
- R BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE. P.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 1445 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE I- A TRUE COPY OF THE COMPLAINT IN LP.NO.45 OF 1993 OF THE
MAGISTRATE COURT IRINJALAKUDA DATED 11.5.1993**

**ANNEXURE II- A TRUE COPY OF THE ENQUIRY CONDUCTED THE MAGISTRATE IN
LP.NO.45 OF 1993 OF THE MAGISTRATE COURT IRINJALAKUDA DATED NIL**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PATO JUDGE
sab

P.UBAID, J.

Crl. M.C No. 1445 of 2015

Dated this the 9th day of March, 2015.

O R D E R

The petitioner herein is the accused in L.P No. 45 of 1993 of the Judicial First Class Magistrate Court-I, Irinjalakuda. 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 his application for bail. The offences are bailable. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request. It is for the learned Magistrate to decide whether any condition will have to be issued. 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. I do not think that the learned Magistrate will mechanically remand him to judicial custody, when the offences are bailable.

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. 45 of 1993, the same shall be judiciously considered and decided, on the date of surrender itself.

P.UBAID,
JUDGE

sab