

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

Cr1.MC.No. 1484 of 2015

IN C.P NO.159/2014 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT,
KARUNAGAPPALLY

CRIME NO. 164/2013 OF KARUNAGAPPALLY EXCISE RANGE OFFICE, KOLLAM

PETITIONER/ACCUSED:

SHEELA, AGED 40 YEARS,
W/O.MOHANAN, AKHILALAYAM, THEKKUMURI MEKKUMURI,
THAZHAVA VILLAGE, KARUNAGAPPALLY TALUK,
KOLLAM DISTRICT.

BY ADVS.SRI.K.SIJU
SMT.S.SEETHA

RESPONDENT/STATE:

STATE OF KERALA
THROUGH THE EXCISE INSPECTOR,
KARUNAGAPPALLY EXCISE RANGE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031.

BY SR.PUBLIC PROSECUTOR SMT.SAMEERA GEORGE.P

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 10-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 1484 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE I: COPY OF FINAL REPORT SUBMITTED BY THE EXCISE
INSPECTOR, KARUNAGAPPALLY IN C.R.NO.164/2013.

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.1484 of 2015

Dated this the 10th day of March, 2015

O R D E R

The petitioner herein is the sole accused in C.P No.159/2014 of the Judicial First Class Magistrate Court, Karunagappally. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below she seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider and dispose of her application for bail, on the date of surrender itself. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request 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 learned Magistrate and make application for bail. She will have to explain the reason for her 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 C.P No.159/2014, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side.

**P.UBAID
JUDGE**

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