

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

Crl.MC.No. 1496 of 2015 ()

CC.NO.1741/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,CHITTUR

PETITIONER/ACCUSED:

**MOHAMMED ABDUL JALEEL, AGED 44 YEARS,
S/O. NOOR MUHAMMED, PALLIMUKKIL, THATHAMANGALAM,
CHITTUR, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/DEFACTO COMPLAINANT AND STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR PUBLIC PROSECUTOR SMT. SAREENA GEORGE.P.

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

sts

Crl.MC.No. 1496 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX: TRUE COPY OF THE PRIVATE COMPLAINT IN C.C.NO.1741/2014 OF THE
COURT OF JUDICIAL FIRST CLASS MAGISTRATE, CHITTUR.**

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P. UBAID, J.

Crl.M.C.Nos.1496 of 2015

Dated this the 10th day of March, 2015

O R D E R

The petitioner herein is the accused in C.C. No.1741/2014 of Court, Chittur. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to release him on bail. Of course, the relief as sought by the petitioner 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 release him on bail. It is for the trial court 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 trial judge. 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 make application for bail on surrender in C.C. No.1741/2014 of Court, Chittur, the same shall be judiciously considered and decided on the date of surrender itself.

Sd/-

P. UBAID, JUDGE

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