

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

CrI.MC.No. 1580 of 2015 ()

AGAINST CP 145/2014 of J.M.F.C., ADOOR

PETITIONER(S)/SOLE ACCUSED:-:

VIJAYAMMA,
D/O.KARUNAKARAN, PULINKKUNNATHIL VEEDU, THALAYARA
ADOOR TALUK.

BY ADVS.SRI.ARUN.B.VARGHESE
SRI.JAYKAR.K.S.
SMT.M.B.DHANYA BABU

RESPONDENT(S)/STATE AND THE COMPLAINANT:-:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.
 2. THE EXCISE INSPECTOR,
ADOOR RANGE, PIN - 689 645.

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

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
12-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.UBAID, J.
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**Crl.M.C No.1580 of 2015**  
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Dated this the 12th March 2015

ORDER

The petitioner herein is the sole accused in O.R No.42 of 2014 of Excise Range, Adoor now pending as C.P.145 of 2014 before the Judicial First Class Magistrate's Court, Adoor. 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 decide and dispose of his application for bail, without delay. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. It is for the court below 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. She 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 C.P. No 145 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**

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/True copy/

P.S to Judge