

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

Cr1.MC.No. 1624 of 2015

AGAINST C.P 20/2015 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT
-I, HOSDRUG
CRIME NO. 255/2013 OF HOSDURG POLICE STATION, KASARGOD

PETITIONER:

SHIHAB, S/O.ABOOBACKER,
KADAVATH HOUSE,
KALANAD P.O,
KASARGOD DISTRICT
PIN - 671 317

BY ADVS.SRI.SALIM V.S.
SRI.H.NUJUMUDEEN

RESPONDENT:

STATE OF KERALA REPRESENTED BY SUB INSPECTOR OF
POLICE, HOSDRUG POLICE STATION,
KASARGOD DISTRICT
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682 031.

BY SR PUBLIC PROSECUTOR SMT.SAREENA GEORGE.P

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 1624 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1: COPY OF THE FIR IN CRIME NO.255/2013 OF HOSDRUG
POLICE STATION.

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

CrI.M.C No.1624 of 2015

Dated this the 13th day of March, 2015

O R D E R

The petitioner herein is the 4th accused in C.P No.20/2015 of the Judicial First Class Magistrate Court I, Hosdurg. 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 decide and dispose of his 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. 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.

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.20/2015, 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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