

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

Crl.MC.No. 1643 of 2015 ()

**CP 4/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT, THIRUVALLA
CRIME NO. 1068/2014 OF THIRUVALLA POLICE STATION , PATHANAMTITTA DISTRICT**
=====

PETITIONER/1ST ACCUSED:

**SHAMEER.S., AGED 24 YEARS
S/O. SHAJI, KOCHUPARAMBIL HOUSE
CHUMATHRA MURI, KUTTAPPUZHA P.O.
AND VILLAGE, THIRUVALLA TLUK
PATHANAMTITTA DISTRICT**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE**

RESPONDENT/STATE:

**STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE, THIRUVALLA
POLICE STATION, PATHANAMTITTA DISTRICT
BY 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 13-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.M.C.No.1643/2015

APPENDIX

PETITIONER'S EXHIBITS

**ANNEXURE A PHOTOCOPY OF FINAL REPORT IN CRIME NO.1068/2014 OF
THIRUVALLA POLICE AND PENDING AS C.P.NO.4/2015 BEFORE JFMC,
THIRUVALLA**

RESPONDENT'S EXHIBITS

NIL

// TRUE COPY // P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.1643 of 2015

Dated this the 13th day of March, 2015

O R D E R

The petitioner herein is the 1st accused in C.P.4/2015 of the Judicial First Class Magistrate Court, Thiruvalla. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued by the learned Magistrate 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, without delay. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request to recall the warrant. It is for the learned Magistrate to decide whether bail could be granted to the petitioner. Of course, 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.

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.4/2015 of the Judicial First Class Magistrate Court, Thiruvalla, the same shall be judiciously considered and decided, on the date of surrender itself. The petitioner is given time for seven days to surrender. During this period execution of the warrant of arrest will stand suspended.

Sd/-

P. UBAID, JUDGE

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