

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

Crl.MC.No. 1657 of 2015 ()

IN CC 543/2010 of J.M.F.C.,THIRUVALLA

PETITIONER(S)/ACCUSED:

**S.MOHANDAS AGED 49 YEARS
S/O. P.S.SREEDHARAN PILLAI, DAS SADANAM, MANJADI P.O.
THIRUVALLA, PATHANAMTHITTA - 689 105.**

BY ADV. SRI.K.T.SAJU

RESPONDENT(S)/STATE COMPLAINANT:

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 31.**

R BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE. P.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 17-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 1657 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

A1 - TRUE COPY OF FIR IN CRIME NO. 647/08 OF KEEZHAVIPUR POLICE STATION, THIRUVALLA.

A2 - TRUE COPY OF THE ORDER DT. 13.3.09 PASSED IN BAIL APPL. NO. 1150/09 BY THE HONOURABLE HIGH COURT OF KERALA.

A3 - TRUE COPY OF THE OWNERSHIP CERTIFICATE DT. 06.2.15 ISSUED BY THIRUVALLA MUNICIPALITY.

A4 - TRUE COPY FO THE RRELEVANT PAGE OF THE RATION CARD OF THE PETITIONER.

A5 - TRUE COPY FO THE AADHAAR CARD OF THE PETITIONER.

A6 - TRUE COPY OF THE LAND TAX RECEIPT DT. 04.5.13 ISSUED BY THE VILLAGE OFFICER, KUTTAPPUZHA VILLAGE.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA TO JUDGE
sab

P.UBAID, J.

Crl. M.C No.1657 of 2015

Dated this the 17th day of March, 2015.

O R D E R

The petitioner herein is the accused in C.C No.543 of 2010 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 release him on bail. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request. It is for the court below 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. His grievance that he had not received summons, will be considered by the learned Magistrate. 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.C No.543 of 2010, the same shall be judiciously considered and decided, on the date of surrender itself.

P.UBAID,
JUDGE

sab