

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

Crl.MC.No. 1790 of 2015 ()

IN CC 75/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, CHITTUR

=====

PETITIONER:

**GOPALAKRISHNAN, AGED 49 YEARS
S/O K.P. AYYAMUTHU (TEACHER)
AGED 49 YEARS, KANNATH HOUSE
PANAYUR P.O., POLPULLY
PALAKKAD DISTRICT**

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS:

**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 19-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

SD

P. UBAID, J.

Crl.M.C.No.1790 of 2015

Dated this the 19th day of March, 2015

O R D E R

The petitioner herein is the accused in C.C.No.75/2013 of the Judicial First Class Magistrate Court, Chittur, Palakkad District. 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. 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. When such satisfactory explanation is there, the question of releasing him on bail on appropriate conditions can be thought of 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.75/2013 of the Judicial First Class Magistrate Court, Chittur, the same shall be judiciously considered and decided, on the date of surrender itself.

Sd/-

P. UBAID, JUDGE

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