

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

Cr1.MC.No. 1819 of 2015

IN C.C 231/2014 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
KANNUR

CRIME NO. 1726/2013 OF KANNUR TOWN POLICE STATION, KANNUR

PETITIONER/1ST ACCUSED:

M.P ABDUL JABAR,
S/O.MUHAMMED KUNJI,
MUNDADATHU PARAMBIL HOUSE,
ELAYAVOOR TEMPLE ROAD,
MUNDAYAD, KANNUR

BY ADV. SRI.V.TEKCHAND

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
KANNUR TOWN POLICE STATION,
KANNUR DISTRICT THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KEARLA

BY SR. PUBLIC PROSECUTOR SMT.SAREENA GEORGE.P

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ab

P.UBAID, J.

Crl.M.C No.1819 of 2015

Dated this the 20th day of March, 2015

O R D E R

The petitioner herein is the 1st accused in C.C No.231/2014 of the Judicial First Class Magistrate Court I, Kannur. 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 consider 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.C No.231/2014, the same shall be judiciously considered and decided, on the date of surrender itself. The petitioner is granted seven days time to surrender before the learned Magistrate. In the meantime, execution of the warrant of arrest will stand suspended.

**P.UBAID
JUDGE**

ab