

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE P.UBAID**

**TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937**

**Crl.MC.No. 1925 of 2015 ()**  
-----

**CRIME NO. 228/2013 OF CHAVARA THEKKUMBHAGOM POLICE STATION , KOLLAM**

**PETITIONERS/ACCUSED NOS. 1,2 & 5:**  
-----

1. **BINU, S/O. CLEETUS, KAVANAMMOOLAYIL HOUSE,  
VADAKKUMBHAGOM MURI, THEKKUMBHAGOM, KOLLAM DISTRICT**
2. **DENISON, S/O. ANTONY, KAVANAMMOOLAYIL HOUSE,  
VADAKKUMBHAGOM MURI, THEKKUMBHAGOM, KOLLAM DISTRICT**
3. **RATHEESH @ KICHU, AGED 30 YEARS, S/O. FRANCIS,  
RAJESH BHAVAN, VADAKKUMBHAGOM, CHAVARA SOUTH,  
THEKKUMBHAGOM VILLAGE, KOLLAM DISTRICT - 691 319.**

**BY ADV. SRI.BIJU .C. ABRAHAM**

**RESPONDENTS/ STATE & COMPLAINANT:**  
-----

1. **STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM**
2. **ARUN, AGED 28 YEARS, S/O. RAMANAN,  
VALAKATH VAYAILIL THARAYIL,  
VADAKKUMBHAGOM MURI, THEKKUMBHAGOM VILLAGE  
KOLLAM DISTRICT - 691 319**

**BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE. P.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 24-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**APPENDIX**

**PETITIONERS' ANNEXURES:**

**ANNEXURE 1 : TRUE COPY OF THE SUMMONS ISSUED IN CP NO.90/2014 ISSUED TO THE 1ST PETITIONER.**

**ANNEXURE 2 : TRUE COPY OF THE SUMMONS ISSUED IN CP NO.90/2014 ISSUED TO THE 2ND PETITIONER.**

**ANNEXURE 3 : TRUE COPY OF THE SUMMONS ISSUED IN CP NO.90/2014 ISSUED TO THE 3RD PETITIONER.**

**RESPONDENTS' ANNEXURES : NIL**

**//TRUE COPY//**

**P.A. TO JUDGE**

**smv**

**P.UBAID, J.**

-----  
**Crl.M.C No.1925 of 2015**  
-----

Dated this the 24<sup>th</sup> day of March, 2015

**O R D E R**

The petitioners herein are the accused Nos.1, 2 and 5 in C.P No.90/2014 of the Judicial First Class Magistrate Court, Sasthamkotta. On the apprehension of remand to judicial custody on appearance on summons issued from the court below, they seek orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to release them on bail, or to decide and dispose of their application for bail, without delay. It is for the learned Magistrate to decide whether bail could be granted to the petitioners. The petitioners will have to appear before the learned Magistrate and make application for bail. 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 filing itself.

In the result, this petition is closed with direction to

the court below that in case the petitioners make application for bail on surrender in C.P No.90/2014, the same shall be judiciously considered and decided, on the date of filing itself.

**P.UBAID  
JUDGE**

//true copy// P.A. To Judge

smv