

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

CrI.MC.No. 1968 of 2015 ()

**CP 134/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT,TALIPARAMBA
CRIME NO. 524/2013 OF ALAKODE POLICE STATION, KANNUR DISTRICT**

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PETITIONER/ACCUSED NO.2:

**YUNUS, AGED 32 YEARS, S/O. MUHAMMED
POOMANGALORAKATH HOUSE, NEDUVODE
KUTTAPARAMBA P.O., ALAKODE AMSOM
TALIPARAMBA TALUK, KANNUR DISTRICT - 670571**

BY ADV. SRI.VINOD SINGH CHERIYAN

RESPONDENT:

**STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA THROUGH S.H.O.
ALAKODE POLICE STATION, KANNUR DISTRICT**

BY Sr. PUBLIC PROSECUTOR SMT. SAREENA GEORGE P.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 26-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

SD

P. UBAID, J.

Crl.M.C.No.1968 of 2015

Dated this the 26th day of March, 2015

O R D E R

The petitioner herein is the 12th accused in C.P.No.134/2014 of the Judicial First Class Magistrate Court, Thaliparamba. 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 consider his application for bail on his surrender. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the application 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 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. The petitioner's grievance, that he had not received any summons from the court, will have to be considered 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.No.134/2014, the same shall be judiciously considered and decided, on the date of surrender itself.

Sd/-
P. UBAID, JUDGE

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