

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

Crl.MC.No. 1969 of 2015 ()

**CC 713/2014 of JUDICIAL FIRST CLASS MAGISTRAT COURT,TALIPARAMBA
CRIME NO. 20/2014 OF ALAKODE POLICE STATION, KANNUR DISTRICT
=====**

PETITIONERS/ACCUSED Nos.10 & 22:

- 1. IBRAHIM, S/O. MUHAMMED, AGED 52 YEARS
OLIYANTAKATH HOUSE, NEDUVODE
KUTTAPARAMBA P.O., ALAKODE AMSOM
TALIPARAMBA TALUK, KANNUR DISTRICT - 670571**
- 2. YUNUS, S/O. MUHAMMED, AGED 32 YEARS
POOMANGALORAKATH HOUSE, NEDUVODE
KUTTUPARAMBA P.O., ALAKODE AMSOM
TALIPARAMBA TALUK, KANNUR DISTRICT - 670571**

BY ADV. SRI.VINOD SINGH CHERIYAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, THROUGH S.H.O., ALAKODE
POLICE STATION, KANNUR DISTRICT-670571**

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.1969 of 2015

Dated this the 26th day of March, 2015

O R D E R

The petitioners herein are the accused Nos.10 and 22 in C.C.No.713/2014 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, they seek orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider their application for bail on their 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 petitioners. The petitioners will have to surrender before the trial court, and make application for bail. They will have to explain the reason for their absence in court. Anyway, let appropriate decision regarding bail be taken by the learned Magistrate. The petitioners' grievance, that they 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 petitioners makes application for bail on surrender in C.C.No.713/2014, the same shall be judiciously considered and decided, on the date of surrender itself.

Sd/-
P. UBAID, JUDGE

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