

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. 1978 of 2015 ()

**IN LP 7/2014 of ADDL. D.C. & SESSIONS COURT - I, KALPETTA
CRIME NO. 517/2005 OF S.BATTERY POLICE STATION , WAYANAD**

PETITIONER(S)/PETITIONER/2ND ACCUSED:

**PRASHEED KUMAR @ UNNIKRISHNAN
S/O. ARUMUGHAN, RESIDING AT ANDISSERY (H), AMBUKUTTY
THOVARIMALA, NENMANI, AMBALAVAYAL
WAYANAD-673592.**

**BY ADVS.SRI.MANUEL KACHIRAMATTAM
SMT.MERRY GEORGE**

RESPONDENT(S)/RESPONDENT:

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

R BY 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:**

sab

P.UBAID, J.

Crl. M.C No. 1978 of 2015

Dated this the 26th day of March, 2015.

O R D E R

The petitioner herein is the second accused in Crime No.517 /2005 of Sultan Battery Police Station, Wayanad. The case now stands transferred to the register of long pending cases as L.P.C No.7 of 2014. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial court he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to release him on bail on the date of surrender itself. 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 consistent absence in court. Let appropriate decision regarding bail be taken by the learned trial judge. 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 L.P No.7 of 2014 (Crime No.517/2005 of Sultan Battery Police Station), the same shall be judiciously considered and decided, on the date of surrender itself. The petitioner is given time for seven days to surrender before the trial court and make application for bail. During this period, execution of the warrant of arrest will stand suspended.

Sd/-

P.UBAID,
JUDGE

sab