

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. 1998 of 2015 ()

**IN LPC 60/2010 of C.J.M.,KASARAGOD
CRIME NO. 977/2008 OF KASARAGOD POLICE STATION , KASARGOD**

PETITIONER(S):

**JAYASRI AGED 43 YEARS
W/O LATE SHIVADAS
RESIDING AT KALYANAPURAM MADAM
ALAMPADI, KASARGOD**

**BY ADVS.SMT.K.DEEPA (PAYYANUR)
SRI.V.R.NASAR**

RESPONDENT(S):

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

**2. THE SUB INSPECTOR OF POLICE
KASARAGOD POLICE STATION**

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:**

Crl.MC.No. 1998 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNEXURE I:** CERTIFIED COPY OF THE COMPLAINT FILED BY THE DE-FACTO COMPLAINANT BEFORE THE COURT OF CHIEF JUDICIAL MAGISTRATE, KASARAGOD
- ANNEXURE II:** CERTIFIED COPY OF THE FIR OF CRIME NO.977/2008 OF THE KASARAGOD POLICE STATION
- ANNEXURE III:** CERTIFIED COPY OF THE FINAL REPORT OF CRIME 977/2008

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PATO JUDGE
sab

P.UBAID, J.

Crl. M.C No.1998 of 2015

Dated this the 26th day of March, 2015.

O R D E R

The petitioner herein is the accused in L.P.C No.60 of 2010 of the Chief Judicial Magistrate Court, Kasaragod. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial court she seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to release her 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. 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. The petitioner's grievance that her proper and correct address is not shown in the complaint will be considered by the learned Magistrate.

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.60 of 2010 (Crime No.977 of 2008 of the Kasaragod 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