

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

Cr1.MC.No. 2132 of 2015

AGAINST C.C NO.343/2014 of JUDICIAL FIRST CLASS MAGIST. COURT,
KOOTHATTUKULAM

PETITIONERS/ACCUSED:

1. ANISH @ ANIYAPPAN, AGED 29 YEARS,
S/O.PATHROSE,
ITTIPARAMBIL HOUSE, ELANJI P.O,
KOOTHATTUKULAM - 686665
2. CHACKO P.T. @ CHAKKAPPAN, AGED 39 YEARS,
S/O.THOMAS, PALAKKUNNEL HOUSE, ELANJI P.O
KOOTHATTUKULAM 686665.
3. JOSHY THOMAS @ VAVA, AGED 32 YEARS,
S/O.THOMAS, KARINKANNIYIL HOUSE, ELANJI P.O,
KOOTHATTUKULAM 686665.
4. JILS JOHN, AGED 25 YEARS, S/O.JOHN,
THOTTATHIL HOUSE, ELANJI P.O,
KOOTHATTUKULAM 686665.
5. RENJUMON JOSEPH @ CHIPPAN, AGED 25 YEARS,
S/O.JOSEPH, PALAKKUNNEL HOUSE, ELANJI P.O,
KOOTHATTUKULAM 686665.

BY ADV. SRI.GIGIMON ISSAC

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
DISTRICT COURT, ERNAKULAM.

BY SR. PUBLIC PROSECUTOR SMT.SAREENA GEORGE.P

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 2132 of 2015

APPENDIX

PETITIONERS' ANNEXURES:

ANNX.I - TRUE COPY OF THE NOC NOTING VAKALATH ISSUED BY ADV.ARUN
JOSEPH.

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

ab

P.UBAID, J.

Crl.M.C No.2132 of 2015

Dated this the 31st day of March, 2015

O R D E R

The petitioners herein are the four accused in C.C No.343/2014 of the Judicial First Class Magistrate Court, Koothattukulam. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest 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 the petitioners on bail, on the date of surrender itself. The case was originally filed before the Judicial First Class Magistrate Court, Muvattupuzha. The petitioners grievance is that they were not in fact aware of the transfer of the case to the Judicial First Class Magistrate Court, Koothattukulam on the establishment of the new court there. Their grievance will have to be considered by the learned Magistrate in taking a decision on the request for bail afresh. It is for the learned Magistrate to decide whether bail could be granted to the petitioners. The petitioners will have to surrender before the learned Magistrate

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. 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 make application for bail on surrender in C.C No.343/2014, the same shall be judiciously considered and decided, on the date of surrender itself.

**Sd/-
P.UBAID
JUDGE**

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