

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

CrI.MC.No. 2159 of 2015 ()

**IN CC 97/2011 of J.M.F.C.,TALIPARAMBA
CRIME NO. 13/2011 OF PAYYAVOOR POLICE STATION, KANNUR**

PETITIONER(S)/PETITIONER/ACCUSED:

**BAIJU JOSEPH AGED 48 YEARS
S/O.JOSEPH, KURISUMMOOTTIL HOUSE, KANHIRAKOLLI P.O
PAYYAVOOR AMSOM, TALIPARAMBA TALUK
KANNUR DISTRICT 670 633**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT(S)/RESPONDENT/COMPLAINANT:

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA THROUGH S.H.O
PAYYAVOOR POLICE STATION, KANNUR DT. 6370141**

R BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE. P.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 01-04-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

P.UBAID, J.

Crl. M.C No. 2159 of 2015

Dated this the 1st day of April, 2015.

O R D E R

The petitioner herein is the accused in C.C No.97 of 2011 of the Judicial First Class Magistrate Court, Taliparamba. 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 consider his request for bail on the date of surrender itself. 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. 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 petitioner makes application for

bail on surrender in C.C No.97 of 2011, the same shall be judiciously considered and decided, on the date of surrender itself.

Sd/-

P.UBAID,
JUDGE

sab