

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

Crl.MC.No. 2351 of 2015 ()

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CP 11/2014 of SESSIONS COURT,KOZHIKODE
CRIME NO. 356/2007 OF MEDICAL COLLEGE POLICE STATION, KOZHIKODE DISTRICT
=====**

PETITIONER/ACCUSED NO.5:

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SAROOP, AGED 42 YEARS
S/O. SREENIVASAN, SOBHA
KOVOOR, NELLIKODE VILLAGE
KOVOOR, KOZHIKODE**

BY ADV. SRI.G.SANTHOSH KUMAR (P).

RESPONDENTS/COMPLAINANT:

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- 1. STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM**
 - 2. SUB INSPECTOR OF POLICE, MEDICAL COLLEGE
POLICE STATION, KOZHIKODE**

BY Sr. PUBLIC PROSECUTORS SMT. SAREENA GEORGE P.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09-04-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

CRL.M.C.2351/2015

APPENDIX

PETITIONER'S EXHIBITS

**ANNEXURE A1 FIS IN CRIME NO.356/2007 OF MEDICAL COLLEGE POLICE
STATION & FIR**

RESPONDENTS' EXHIBITS

NIL

// TRUE COPY // P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.2351 of 2015

Dated this the 9th day of April, 2015

O R D E R

The petitioner herein is the 5th accused in C.P.No.11/2014 of the Judicial First Class Magistrate Court, Kunnamangalam. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below he seeks orders from this Court under Section 482 of the Code of Criminal Procedure to consider and pass orders on his bail application on the date of surrender itself. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request to recall the warrant. It is for the court below 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 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 disposed of with direction to the court below that in case the petitioner makes application for bail

on surrender in C.P.No.11/2014, the same shall be judiciously considered and decided, on the date of surrender itself. The petitioner is granted time for ten days to surrender before the learned Magistrate and make application for bail. During this period, execution of the warrant of arrest will stand suspended.

Sd/-

P. UBAID, JUDGE

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