

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

Crl.MC.No. 2376 of 2015

CRIME NO. 29/2014 OF PUNNAPRA POLICE STATION , ALAPPUZHA

PETITIONER(S)/PETITIONER/ACCUSED:

**MANJUNATH R., AGED 33 YEARS,
S/O.MR.RANGAPPA, PROPRIETOR,
M/S.S.R.DENIM-CARE ENTERPRISES, #73/1,
KONEGA GARMENTS, KARIMSAB LAYOUT, SRIGANDHADA KAVAL,
PEENYA 2ND STAGE, BANGALORE-560 091,
RESIDING AT NO.4 ARALEDIBBA, T.BEGUR, TEPPADABEGURU,
BANGALORE(ACCUSED NO.1).**

**BY ADVS.SRI.R.ROHITH
SRI.SAYED MURTHALA THANGAL**

RESPONDENT(S) :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.P

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

P. UBAID, J.

Crl.M.C.No.2376 of 2015

Dated this the 10th day of April, 2015

O R D E R

The petitioner herein is the first accused in Crime No.29/2014 of the Punnapra Police Station. He now wants to surrender before the learned Magistrate having jurisdiction. On the apprehension that he will be remanded to judicial custody on surrender, he seeks a direction, under Section 482 Cr.P.C., to the learned Magistrate to release him on bail. Such a request cannot be allowed under Section 482 Cr.P.C. He will have to surrender before the investigating officer, or before the learned Magistrate having jurisdiction, and make application for bail. Option is left to him. However, if he opts to surrender before the learned Magistrate, his application for bail will be considered on the date of surrender itself, and appropriate orders will be passed by the learned Magistrate. Only a direction to that effect can be made under Section 482 Cr.P.C.

In the result, this Crl.M.C. is allowed. The learned Magistrate having jurisdiction in Crime No.29/2014 of the Punnapra Police Station is hereby directed that in case the petitioner surrenders in the said crime and makes application for bail, the same shall be

considered judiciously, and appropriate orders shall be passed on the date of surrender itself.

Sd/-

P. UBAID, JUDGE

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