

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. 2402 of 2015 ()

AGAINST CC 390/2015 of J.M.F.C. - I, KARUNAGAPPALLY
CRIME NO. 2637/2014 OF KARUNAAGAPALLY POLICE STATION , KOLLAM

PETITIONER(S):

MUHAMMED ARSHID AGED 20 YEARS,
S/O.AZIZ, FAISA MANZIL, PULIYOOR VANCHI THEKKUM MURI,
THODIYOOR, KARUNAGAPPALLY, KOLLAM DISTRICT.

BY ADVS.SRI.K.ABDUL JAWAD
SRI.MATHEW A KUZHALANADAN

RESPONDENT(S)/STATE/COMPLAINANT:

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:

P.UBAID, J.
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**Crl.M.C No.2402 of 2015**  
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Dated this the 10th April, 2015

ORDER

The petitioner herein is the 1st accused in C.C No.390 of 2015 of the Judicial First Class Magistrate's Court, Karunagappally. 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 directing the court below to decide and dispose of his application for bail, on the date of surrender itself. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. 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 closed with direction to the court below that in case the petitioner makes application for bail on surrender in C.C. No.390 of 2015, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side.

**Sd/-
P.UBAID
JUDGE**

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/True copy/

P.S to Judge