

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

Cr1.MC.No. 2411 of 2015

CRIME NO. 2245/2014 OF THIRUVALLA POLICE STATION, PATHANAMTITTA

PETITIONER:

RAJEEV.R, AGED 29 YEARS,
S/O.MR.RADHAKRISHNAN,
RESIDING AT DWARAKA HOUSE IN KAROOR MURI
OF PURAKKADU VILLAGE,
AMBALAPUZHA TALUK,
ALAPPUZHA DISTRICT.

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

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KEARLA - 682 031.

BY SR. 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:

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P.UBAID, J.

Crl.M.C No.2411 of 2015

Dated this the 10th day of April, 2015

O R D E R

The petitioner is the accused in Crime No.2245/2014 of the Thiruvalla Police Station. He now wants to surrender before the learned Magistrate having jurisdiction. However, on the apprehension that he will be remanded to judicial custody, he wants a direction from this Court under Section 482 of the Code of Criminal Procedure to consider the application for bail on the date of surrender itself, and to release him on bail. Of course he has two options. He can surrender before the investigating officer, or he can even surrender before the learned Magistrate having jurisdiction. The relief as sought by the petitioner cannot be granted, and this Court cannot direct the court below to release him on bail. However, a direction can be made to dispose of the application for bail on the date of surrender itself.

In the result, this petition is disposed of with direction to the learned Judicial First Class Magistrate, Thiruvalla that in case the petitioner makes application for bail on surrender in Crime No.2245/2014 of the Thiruvalla Police Station, the same shall be judiciously considered and

decided, and appropriate decision regarding bail shall be taken on the date of surrender itself, however, with notice to the other side.

**P.UBAID
JUDGE**

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