

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. 2451 of 2015 ()

IN CC 937/2011 of J.M.F.C-I, HOSDURG

PETITIONER(S):

**RAMADEVI AGED 49 YEARS
REVENUE INSPECTOR, MATTANCHERY ZONE,
KOCHI CORPORATION, KOCHI
NOW RESIDING AT NANDANAM HOUSE
MALEKKARA MURI, MALEKKARA P.O
ARANMULA VILLAGE**

BY ADV. SRI.MATHEW SEBASTIAN

RESPONDENT(S):

**1. SHIVADATHA
AGED 62 YEARS, S/O RAMACHANDRAN
COUNCILER, KANHANGAD MUNICIPALITY
RESIDING AT KOWAL HOUSE, KOWAL, HOSDURG VILLAGE
KANHANGAD POST, HOSDURG TALUK 671315**

**2. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM, PIN 682 031**

R 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:**

Crl.MC.No. 2451 of 2015 ()

APPENDIX

PETITIONERS ANENXURES:

**A1: TRUE PHOTOCOPY OF THE COMPLAINT IN C.C NO.937 / 2011 DATED 17.8.2011
ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I JUDGE,
HOSDURG**

**A2: CERTIFIED COPY OF THE ORDER OF THE JUDICIAL FIRST CLASS MAGISTRAE
COURT-I JUDGE, HOSDURG DATED 24.1.2015**

RESPONDENTS ANNEXURES: NIL

/TRUE COPY/

PA TO JUDGE
sab

P.UBAID, J.

Crl. M.C No.2451 of 2015

Dated this the 10th day of April, 2015.

O R D E R

The petitioner herein is the accused in C.C No.937 of 2011 of the Judicial First Class Magistrate Court-I, Hosdurg. He seeks orders from this Court under Section 482 of the Code of Criminal Procedure quashing the warrant issued against him. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request. 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. I do not think that the learned Magistrate will mechanically remand him to judicial custody when the offence is bailable under the law.

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.937 of 2011, the same shall be

judiciously considered and decided, on the date of surrender
itself.

Sd/-

P.UBAID,
JUDGE

sab