

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. 2456 of 2015 ()

AGAINST SC 576/2012 of ADDL.D.C. & MACT, NORTH PARAVUR

PETITIONER/ACCUSED NO.4:

SIJU DAVID, AGED 31,
S/O.V.V.DAVID,
VELASSERY HOUSE, MANJUMMEL,
ELOOR, ERNAKULAM,
PIN – 683 501.

BY ADVS.SRI.K.R.VINOD
MS.JENCY SUSAN JOSE
SRI.V.SRI NATH

RESPONDENT/COMPLAINANT(S):

STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

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.2456 of 2015**  
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Dated this the 10th April, 2015

ORDER

The petitioner herein is the 4th accused in S.C No.576 of 2012 of the Additional Sessions Court, North Paravur. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial court, 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, without delay. The trial Judge, who has issued warrant of arrest for proper reasons, will have to consider the request. 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 trial Judge. 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 S.C No.576 of 2012, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side. The petitioner is granted ten days time to surrender before the court below. During this period, execution of the warrant of arrest against the petitioner will stand suspended.

Sd/-
P.UBAID
JUDGE

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/True copy/

P.S to Judge