

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

Cr1.MC.No. 2502 of 2015 ()

CC 1404/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, TALIPARAMBA
CRIME NO. 364/2012 OF PAYYAVOOR POLICE STATION, KANNUR

PETITIONERS/ACCUSED NO.1 TO 3:

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1. SUJITH M.S. AGED 24 YEARS
S/O SHAJI, MAPPLIAKUNNEL HOUSE, CHANDANAKKAMPARA.P.O
PAYYAVOOR AMSOM, TALIPARAMBA TALUK
KANNUR DISTRICT-670633
 2. SHIJITH.M.S
S/O SHAJI, MAPPLIAKUNNEL HOUSE, CHANDANAKKAMPARA.P.O
PAYYAVOOR AMSOM, TALIPARAMBA TALUK
KANNUR DISTRICT-670633
 3. VIPIN @BIBIN BABY@JOSEPH,
S/O JOSEPH, ELANJIKUZHIYIL HOPUSE
CHANDANAKKAMPARA.P.O, PAYYAVOOR AMSOM
TALIPARAMBA TALUK, KANNUR DISTRICT-670633

BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA THROUGH S.H.O. PAYYAVOOR POLICE STATION
KANNUR.DT

R BY PUBLIC PROSECUTOR SRI.EGY N. ELIAS.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
21-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

K. HARILAL, J.

Crl.M.C.No.2502 of 2015

Dated this the 21st day of April, 2015.

ORDER

The petitioners are accused Nos. 1 to 3 respectively in Crime No.364 of 2012 of Payyavoor Police Station, Kannur District, registered for the offences punishable under Sections 341 and 323 r/w 34 of the Indian Penal Code.

2. The petitioners entered appearance on receipt of summons before the court below through a counsel. Since the petitioners were not in station thereafter, they could not appear before the court below on hearing dates. Now the non-bailable warrant has been issued against the petitioners by the court below. Now the petitioners are ready to surrender before the court below to seek regular bail. Apprehension of the petitioners is that if he surrenders before the court below, he will be remanded to the judicial custody, pending consideration of the application.

I do not think that the Learned Magistrate will remand

the petitioners mechanically, without application of mind. Nonetheless, the learned magistrate is directed to consider and dispose of the bail application to be filed by the petitioners on the date of surrender itself.

**Sd/-
K. HARILAL
JUDGE**

Scl.

True Copy

PA to Judge