

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

Cr1.MC.No. 2571 of 2015 ()

CP 69/2011 of J.M.F.C.-I, PATHANAMTHITTA
CRIME No.483/2008 OF PATHANAMTHITTA POLICE STATION

PETITIONER/FIRST ACCUSED :-

NIZAR, AGED 26 YEARS
S/O NIYAZ, NIYAZ MANZIL, THAICKKADU LEKSHEM VEEDU
THAZHE VETTIPURAM, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.K.N.RADHAKRISHNAN (THIRUVALLA)

RESPONDENT :-

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.

BY PUBLIC PROSECUTOR SRI.A.J.JOSE AEDAIODI

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
28-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

jvt

ANIL K. NARENDRA, J.

Crl.M.C. No.2571 of 2015

Dated this the 28th day of April 2015

ORDER

Petitioner is arrayed as the first accused in C.P.No.69 of 2011 on the file of Judicial First Class Magistrate Court-I, Pathanamthitta for the offences punishable under Sections 141, 143, 147, 148, 341, 323, 326 and 308 r/w 149 of Indian Penal Code. The grievance of the petitioner is that, the Magistrate has already issued non-bailable warrant against him. The petitioner is ready to surrender before the Trial Court and co-operate with the trial, but, his apprehension is that his bail application would not be considered by the Trial Court on the day of surrender itself. Hence, he has filed this Crl.M.C. seeking an order directing the Magistrate Court to consider and pass appropriate orders on his bail application on the day of surrender itself.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor for respondent.

3. Considering the facts and circumstances of the case, this Crl.M.C. is disposed of directing the petitioner to surrender before the Judicial First Class Magistrate Court-I, Pathanamthitta, within two weeks from today and the Magistrate Court is further

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directed to consider and pass appropriate orders on the bail application filed by the petitioner on the same day itself, in accordance with law. The non-bailable warrant already issued against the petitioner shall be kept in abeyance for a period of two weeks.

This Crl.M.C. is disposed of.

Sd/-
ANIL K. NARENDRA
JUDGE

//TRUE COPY//

P.A. TO JUDGE

Jvt