

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

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

Crl.MC.No. 2585 of 2015 ()

**CP.NO. 383/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KASARAGOD
CRIME NO. 480/2013 OF VIDYANAGAR POLICE STATION, KASARGOD DISTRICT**

PETITIONER(S)/ACCUSED NOS. 5 & 10:

- 1. YASAR ARAFATH, AGED 24 YEARS,
S/O.MOIDEENKUTTY, MUNDANGALAM HOUSE,
THEKKIL POST, BEVINJE, KASARAGOD.**
- 2. MUSTHAFA, AGED 28 YEARS,
S/O.B.SHAFI HAJI, MOHAMMADIYA MANZIL,
THEKKIL POST, BEVINJE, KASARAGOD.**

BY ADV. SRI.S.JIJI

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.A.J.JOSE AEDAIDI

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

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ANIL K.NARENDRA, J.

Crl.M.C.No. 2585 of 2015

Dated this the 28th day of April, 2015

ORDER

The petitioners are accused Nos. 5 and 10 in Crime No.480 of 2013 of Vidyanagar Police Station, which is now pending as C.P. No. 383/2014 on the file of the Judicial First Class Magistrate Court-I, Kasaragod. The offences alleged against the petitioners are punishable under Sections 143,147,148,324,283 and 308 read with Section 149 of the Indian Penal Code. The grievance of the petitioners is that, the Magistrate Court has already issued non-bailable warrant against them and if they surrender before the Magistrate Court there is every likelihood of the applications not being considered on the very same day. Therefore, the petitioners seek a direction to consider their bail applications on the day of surrender itself.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Considering the facts and circumstances of the case, this Crl.M.C. is disposed of directing the petitioners to surrender before

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the Magistrate Court within a period of two weeks from today and the Magistrate Court is further directed to consider their bail applications on the day of surrender itself, strictly in accordance with law. The non-bailable warrant already issued against the petitioners shall be kept in abeyance for a period of two weeks.

The Crl.M.C. is disposed of as above.

**ANIL K.NARENDRA,
JUDGE**

DCS