

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. 2604 of 2015

**CP.NO.97/2007 NOW NUMBERED AS LP.NO.31/2009 OF JUDICIAL FIRST CLASS
MAGISTRATE COURT, VARKALA**

CRIME NO. 274/2007 OF VARKALA POLICE STATION, THIRUVANANDAPURAM
.....

PETITIONER(S)/2ND ACCUSED:

**SHAJI, AGED 43 YEARS,
S/O RAGHAVAN,
CHANTHAVILA VEEDU, AYIROOR (PO),
CHIRAYINKEEZHU, TRIVANDRUM DISTRICT.**

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENT(S)/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
VARKALA POLICE STATION, TRIVANDRUM ,
THROUGH THE PUBLIC PROSECUTOR HIGH
COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.ABHIJIT LESSLI

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

msv/

Crl.MC.No. 2604 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE 1: THE TRUE COPY OF THE RELEVANT PART OF THE FIRST
INFORMATION REPORT NO. 274/2007 DATED 06/05/2007.**

**ANNEXURE 2: THE TRUE COPY OF THE FINAL REPORT IN CRIME NO. 274/07
DATED 20/09/2007.**

**ANNEXURE 3: THE TRUE COPY OF THE ORDER IN BANO. 4297/2008
DATED 06/08/2008.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

ANIL K.NARENDRA, J.

Crl.M.C.No. 2604 of 2015

Dated this the 28th day of April, 2015

ORDER

The petitioner is the second accused in L.P. No. 31/2009 on the file of the Judicial First Class Magistrate Court, Varkala arising out of Crime No.274 of 2007 of Varkala Police Station. The offences alleged against the petitioner are punishable under Sections 304(B) and 34 of IPC. The grievance of the petitioner is that, the Magistrate Court has already issued non-bailable warrant against him and if he surrenders before the Magistrate Court there is every likelihood of the application not being considered on the very same day. Therefore, the petitioner seeks a direction to consider his bail application on the day of surrender itself.

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

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

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before the Magistrate Court within a period of two weeks from today and the Magistrate Court is further directed to consider his bail application on the day of surrender itself, strictly in accordance with law. The non-bailable warrant already issued against the petitioner 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