

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

Cr1.MC.No. 2608 of 2015 ()

CC 439/2014 of J.M.F.C., ETTUMANUR
CRIME NO. 401/2011 OF ETTUMANOOR POLICE STATION

PETITIONER(S)/ACCUSED :-

ROY VARGHESE, AGED 48 YEARS
S/O.VARGHESE, KACHAPPILLY HOUSE, KEZHMAU
ALUVA.

BY ADV. SRI.K.S.RAJEEV (ALUVA)

RESPONDENT(S)/COMPLAINANT :-

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.

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:

jvt

ANIL K. NARENDHAN, J.

Crl.M.C. No.2608 of 2015

Dated this the 28th day of April 2015

ORDER

Petitioner is arrayed as the first accused in Crime No.401/2011 of Ettumanoor Police Station, which is pending as C.C.No.439 of 2014 on the file of Judicial First Class Magistrate Court, Ettumanoor, registered for the offence punishable under Section 420 r/w 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 likelihood of the application not being considered on the very same day. 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, Ettumanoor

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within two weeks from today and the Magistrate Court is further 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 issued against the petitioner shall be kept in abeyance for a period of two weeks from today.

This Crl.M.C. is disposed of.

**Sd/-
ANIL K. NARENDRA
JUDGE**

//TRUE COPY//

P.A. TO JUDGE

Jvt