

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.2629 of 2015

AGAINST THE ORDER/JUDGMENT IN CP 113/2014 of
J.M.F.C.-I,PATHANAMTHITTA
O.R.NO.15/2007 OF PATHANAMTHITTA EXCISE RANGE OFFICE,
PATHANAMTHITTA

PETITIONER : ACCUSED :-

SANTHOSH KUMAR, AGED 42 YEARS,
S/O.GOPALAKRISHNA PILLA, THEKKEAMBILATTU VEETIL,
ELAVUMTHITTA MURI, MEZHUVELI VILLAGE,
KOZHENCHERRY TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.AJEESH K.SASI

RESPONDENT/COMPLAINANT:

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

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:

ANIL K.NARENDRA, J.

Crl.M.C.No.2629 of 2015

Dated this the 28th day of April, 2015

ORDER

The petitioner is the accused in O.R.No.15 of 2007 of Pathanamthitta Excise Range, which is now pending as C.P.No.113 of 2014 on the file of the Judicial First Class Magistrate Court-I, Pathanamthitta. The offence alleged against the petitioner is punishable under Section 8(1) and (2) of the Abkari Act. 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 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

skj