

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 5TH DAY OF MAY 2015/15TH VAISAKHA, 1937

CrI.MC.No. 2669 of 2015

**C.P.NO.36/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
SASTHAMCOTTA**

CRIME NO. 150/2007 OF KARUNAGAPPALLY EXCISE RANGE OFFICE , KOLLAM

PETITIONER(S)/ACCUSED :

**RAJAN, AGED 55 YEARS,
S/O.STANSILA BOSE, THOTTUKARA VEEDU, PERUNGALAM MURI,
MUNROTHURUTHU, KOLLAM DISTRICT.**

BY ADV. SRI.P.VDILEEP

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.P.K.ABDUL RAHMAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 05-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

P. UBAID, J.

Crl.M.C.No.2669 of 2015

Dated this the 5th day of May, 2015

O R D E R

The petitioner herein is the 2nd accused in C.P.No.36/2015 of the Judicial First Class Magistrate Court, Sasthamcota. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider his application for bail. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request to release him on bail. The petitioner will have to surrender before the learned Magistrate and make application for bail. He will have to explain the reason for his absence in court. Anyway, let appropriate decision regarding bail be taken by the learned Magistrate. However, a direction can be made to consider and dispose of the application for bail on the date of surrender itself.

In the result, this petition is disposed of with direction to the court below that in case the petitioner makes application for bail on surrender in C.P.No.36/2015 the same shall be

judiciously considered and decided, on the date of surrender itself, however. The petitioner is given time for ten days to surrender before the court below, and make application for bail. During this period, execution of the warrant of arrest will stand suspended.

Sd/-

P. UBAID, JUDGE

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