

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Crl.MC.No. 2701 of 2015

**CC 2028/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
THIRUVALLA DISTRICT.**
.....

PETITIONER/ACCUSED NO.1:

**ANJU, AGED 30 YEARS, S/O.VARGHESE,
MALAYIL PARAMBIL HOUSE, VALLAMKULAM P.O.,
ERAVIPEROOR VILLAGE, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE**

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE S.I OF POLICE,
THIRUVALLA POLICE STATION,
PATHANAMTHITTA DISTRICT,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

Crl.MC.No. 2701 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A: CERTIFIED COPY OF FINAL REPORT IN C.C 2028/14 OF JFCM,
THIRUVALLA.**

RESPONDENT(S)' ANNEXURES:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P. UBAID, J.

Crl.M.C.No.2701 of 2015

Dated this the 15th day of May, 2015

O R D E R

The petitioner herein is the first accused in C.C.No.2028/2014 of the Judicial First Class Magistrate Court, Thiruvalla. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued by the learned Magistrate she seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to decide and dispose of her application for bail. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request to recall the warrant. It is for the learned Magistrate to decide whether bail could be granted to the petitioner. The petitioner's grievance that she had not received summons from the court below, will have to be considered judiciously while taking decision on the request for bail. The petitioner will have to surrender before the trial court and make application for bail. She will have to explain the reason for her 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 closed with direction to the court below that in case the petitioner makes application for bail on surrender in C.C.No.2028/2014, the same shall be judiciously considered and decided, on the date of surrender itself. The petitioner is granted time for ten days to surrender before the court below and make application for bail. During this period, execution of warrant of arrest will stand suspended.

Sd/-

P. UBAID, JUDGE

sd