

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. 2773 of 2015

**C.C.NO.1565/2014 IN CRIME NO.401/14 OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT-1, THODUPUZHA**

PETITIONER(S)/ACCUSED :

- 1. JAYA THOMAS, AGED 47 YEARS,
D/O.THOMAS, PONGASSERI HOUSE, AVALUKUNNAM.P.O.,
ALAPPUZHA DISTRICT.**
- 2. VAISAK, AGED 23 YEARS,
S/O.VARGHESE, PONGASSERI HOUSE, AVALUKUNNUM.P.O.,
ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH
SRI.C.H.ABDUL RASAC**

RESPONDENT(S)/STATE :

- 1. THE STATION HOUSE OFFICER,
KARINKUNNAM POLICE STATION, THODUPUZHA-685 584.**
- 2. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**

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:**

Msd.

P.UBAID, J.

Crl. M.C No.2773 of 2015

Dated this the 15th day of May, 2015.

O R D E R

The petitioners herein are the accused in C.C No.1565 of 2014 of the Judicial First Class Magistrate Court-I, Thodupuzha. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial court they seek orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider their request for bail on the date of surrender itself. It is for the learned Magistrate to decide whether bail could be granted to the petitioners. The petitioners will have to surrender before the court below and make application for bail. 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 petitioners make application for bail on surrender in C.C No.1565 of 2014, the same shall be

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

Sd/-

P.UBAID,
JUDGE

sab