

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRA

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

Cri.MC.No. 2786 of 2015 ()

ST 1779/2008 of JUDICIAL FIRST CLASS MAGISTRATE COURT.-II, PATHANAMTHITTA

PETITIONER/ACCUSED:

JOSHY, AUGUSTIN AGED 42 YEARS
S/O. AUGUSTIN, KATTAMKOTTIL, MUNDANMUDI
KALIYAR, VANNAPURAM, IDUKKI DISTRICT.

BY ADVS. SRI. K. SHAJ
SRI. SAJJU. S

RESPONDENT(S)/STATE/COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. T.M. MATHEW
THUNDUPARAMPIL, VETTIPURAM MURI
PATHANAMTHITTA DISTRICT-689 645.

R1 BY PUBLIC PROSECUTOR SRI P.V. ELIAS

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 08-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ANIL K.NARENDRA, J

CrI.M.C.No.2786 Of 2015

DATED THIS THE 8th DAY OF MAY, 2015

ORDER

The petitioner is the sole accused in S.T.No.1779/2008, pending before the Judicial First Class Magistrate Court-II, Pathanamthitta. The offence alleged against the petitioner is punishable under Section 138 of the Negotiable Instruments 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 CrI.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.

Sd/-
ANIL K.NARENDRA,
JUDGE

dsn