

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Crl.MC.No. 2804 of 2015

CP 107/2014 of J.M.F.C., KODUNGALLUR
CRIME NO. 1746/2013 OF MATHILAKAM POLICE STATION , THRISSUR

PETITIONER/ACCUSED:

BIJU @ URMIES, AGED 36 YEARS
S/O. JOSEPH, KADUPPIL HOUSE, POOVANCHIRA P.O.
PANANCHERRY VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.T.N.SURESH

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR, SHRI.JOBY JOSEPH

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
12-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ALEXANDER THOMAS, J

Crl.M.C.No.2804 of 2015

Dated this the 12th day of May, 2015

ORDER

This Crl.M.C has been filed seeking the invocation of the inherent powers conferred on this Court as per Section 482 of the Code of Criminal Procedure with the following prayers;

“It is therefore most humbly prayed that this Honourable Court may be pleased to direct the Judicial First Class Magistrate Court, Kodungallur to consider the Bail Application to be filed by the Petitioner in C.P.No.107/2014 in Crime No.1746/2013 of Mathilakam Police Station, Thrissur District on the date of his surrender itself and to release him on bail, so as to secure the ends of justice.”

2. Having heard Sri.T.N.Suresh, the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent and taking into account, the facts and circumstances of this case, it is ordered in the interest of justice that in the event of the petitioner surrendering before the Court below concerned without any further delay and submit the necessary bail

application, the Court below concerned shall consider the bail application of the petitioner on the same day itself on merits and taking into consideration the relevant facts that may be pointed out by the learned counsel for the petitioner in that regard and pass appropriate orders in accordance with law. Until orders are passed as directed above, the impugned coercive proceedings against the petitioner will be kept in abeyance. It will be open to the petitioner to rely on reported decisions of this Court or that of the Apex Court, on the aspects urged on his behalf. If the petitioner does not surrender before the Court below concerned within a period of one week from the date of issuance of a certified copy of this order, then this order will stand automatically vacated.

With these observations and directions, the Crl.M.C. stands disposed of.

Sd/-
ALEXANDER THOMAS
JUDGE

rkj

//TRUE COPY//

P.A. TO JUDGE