

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. 2831 of 2015

CRIME NO. 450/2001 OF KALAMASSERY POLICE STATION, ERNAKULAM.
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PETITIONER/ACCUSED:

**SAYSON @ DAYSON, AGED 40,
S/O.GEORGE, THUNDIPARAMBIL HOUSE,
OPP. INS DRONACHARYA, KOCHI-1.**

BY ADV. SRI.K.R.VINOD

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI-31.**

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/

P.UBAID, J.

Crl.M.C No.2831 of 2015

Dated this the 15th day of May, 2015

O R D E R

The petitioner herein is the accused in L.P No.15/2015 of the Judicial First Class Magistrate Court II, Aluva. 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 and dispose of his application for bail, on the date of surrender itself. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. It is for the learned Magistrate to decide whether bail could be granted to the petitioner. The petitioner will have to surrender before the learned Magistrate and make application for bail. The petitioner's grievance that he has not received any summons in the proceeding will have to be considered by the court below while taking decision on the application for bail. 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 L.P No.15/2015, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side. The petitioner is granted ten days time to surrender before the court below. In the meantime, execution of the warrant of arrest will stand suspended.

**P.UBAID
JUDGE**

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