

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

Cri.MC.No. 2832 of 2015

**CONNECTION WITH S.C.NO.207/2014 OF DISTRICT & SESSIONS COURT
(ADHOC)-II AT ERNAKULAM**

PETITIONER(S)/ACCUSED PERSONS :

1. VIVEK.M., AGED 22 YEARS,
S/O.VIJAYAN.M, MALAYATH HOUSE, MANALODY,
NILAMBUR.P.O, MALAPPURAM DISTRICT, PIN-679 329.
2. LISJO.T.VARGHESE, AGED 23 YEARS,
S/O.VARGHESE, AYMANTHU HOUSE, CALVARYMOUNT.P.O.,
CALVARYMOUNT, IDUKKI DISTRICT, KATTAPPANA, PIN-685 515.
3. ANOOP.P., AGED 27 YEARS,
S/O.PRABHAKARAN.T, ULLUCHIRAVELI, MUHAMMA.P.O.,
ALAPPUZHA, PIN-688 525.
4. RENJITH.R, AGED 30 YEARS,
MANATTIL HOUSE, PULLIKKANAKKU.P.O., KAYAMKULAM,
ALAPPUZHA.
5. PRASANTH.P, AGED 22 YEARS,
CHERUVILLA PUTHENVEEDU, MEVANAKONAM, EDATHARA.P.O.,
KOLLAM DISTRICT, PIN-691 536.
6. PRENCE MATHEW, AGED 31 YEARS,
PUTHENPURACKAL HOUSE, PAINGOTTOOR.P.O.,
ERNAKULAM DISTRICT.

BY ADV. SRI.K.R.VINOD

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.C.K.JAYAKUMAR

**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.2832 of 2015

Dated this the 15th day of May, 2015

O R D E R

The petitioners herein are the six accused in S.C No.207/2014 of the District and Sessions Court (Adhoc-II), Ernakulam. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below they seek orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider and dispose of their application for bail, on the date of surrender itself. The learned trial judge, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. It is for the learned trial judge to decide whether bail could be granted to the petitioners. The petitioners will have to surrender before the learned trial judge and make application for bail. They will have to explain the reason for their absence in court. Anyway, let appropriate decision regarding bail be taken by the court below. 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 petitioners make application for bail on surrender in S.C No.207/2014, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side. The petitioners are 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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