

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS**

**FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937**

**CrI.MC.No. 2902 of 2015**  
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**C.C.NO.194/2014 OF CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM**  
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**PETITIONER(S)/ACCUSED :**  
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**SATHYASEELAN.J, AGED 59 YEARS,  
S/O.JANARDANAN, TC NO.19/1646, KARUNA (H),  
THAMALAM, THIRUMALA VILLAGE, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.S.RAJEEV  
SRI.K.K.DHEERENDRAKRISHNAN  
SRI.V.VINAY**

**RESPONDENT(S)/STATE :**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031,  
(CRIME NO.714/2014 OF ERNAKULAM CENTRAL POLICE STATION,  
ERNAKULAM DISTRICT).**

**BY ADDL.STATE PROSECUTOR SRI.TOM JOSE PADINJARAKARA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 22-05-2015, ALONG WITH CrI.MC.No.2895 OF 2015 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

ALEXANDER THOMAS, J.

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Crl.M.C.Nos.2902, 2909, 2907, 2895,  
2904, 2903, 2905, 2908 and 2906 Of 2015  
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Dated this the 22<sup>nd</sup> day of May, 2015.

O R D E R

These nine Criminal Miscellaneous Cases have been instituted by the same petitioner, who is the accused No.4 in nine calender cases viz, C.C.Nos.194, 206, 207, 208, 209, 210, 226, 228 and 229 of 2014 pending on the file of the Chief Judicial Magistrate Court, Ernakulam for offences alleged under Secs.403, 406 and 420 r/w Sec. 34 IPC. The common prayer in each of the Crl.M.Cs is for an order to direct the learned Chief Judicial Magistrate Court, Ernakulam to recall the non bailable warrant pending against the petitioner in these respective calender cases and to direct the said learned Chief Judicial Magistrate to consider and dispose of the bail application of the petitioner to be filed in each of these cases separately on the date of surrender before the court below on the ground that no summons was served on the petitioner etc.

2. Heard Sri.S.Rajeev and Sri.K.K.Dheerendra Krishnan, learned counsel appearing for the petitioner in these cases, as well as

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Additional State Prosecutor appearing for respondent-State in each of these cases.

3. After having heard both sides and taking into account the totality of the facts and circumstances of these similar cases, it is ordered in the interest of justice that in the event of the petitioner surrendering before the Chief Judicial Magistrate Court, Ernakulam in each of these calender cases without any further delay and on the petitioner filing necessary application for recall of the warrant and application for grant of bail separately in each of these nine calender cases, then the learned Chief Judicial Magistrate shall consider those applications in each of these cases on the same day of surrender itself in accordance with law and taking into consideration the facts and circumstances of these cases. This is subject to the condition that the petitioner shall serve advance notice regarding these applications to the learned prosecutor appearing on behalf of the respondent-State in each of these calender cases before the court below and it is subject to further condition that the petitioner shall so voluntarily surrender as undertaken by him within an outer time limit of two weeks from today failing which the directions issued by this Court in these cases will

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stand automatically vacated. Subject to compliance of these conditions, it is further ordered in the interest of justice that further coercive proceedings that may be initiated against the petitioner in execution of the impugned warrants in these cases will remain suspended until the learned Chief Judicial Magistrate, Ernakulam take a decision on the applications as aforestated.

With these observations and directions, the Crl.M.Cs stand finally disposed of.

Sd/-

ALEXANDER THOMAS,  
Judge.

Bkn/-

///True copy///

P.S. To Judge.