

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

CrI.MC.No. 2956 of 2015 ()

**AGAINST THE ORDER/JUDGMENT IN CRMP 2953/2015 of J.M.F.C.,ALATHUR
DATED 07-05-2015**

CRIME NO. 735/2015 OF WADAKKANCHERRY POLICE STATION , PALAKKAD

PETITIONER(S)/PETITIONER/ACCUSED NO.1:-:

**MAHESH AGED 25 YEARS
S/O.SANKARAN, ANGODE VEEDU, MOOLAMKODE P.O.
ALATHUR, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT(S)/RESPONDENT:-:

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

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 25-05-
2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 2956 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A. TRUE COPY OF THE RELEASE MEMO DATED 29.04.2015 ISSUED FROM THE OFFICE OF THE J.F.M.C., ALATHUR.

ANNEXURE B. FREE COPY OF THE ORDER IN CRL.M.P.NO2953/2015 OF THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, ALATHUR DATED 07.05.2015.

RESPONDENT(S)' EXHIBITS

NIL.

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///True copy///

P.S. to Judge

ALEXANDER THOMAS, J.

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Crl.M.C.No. 2956 of 2015

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Dated this the 25th day of May, 2015

O R D E R

The prayer in this Crl.M.C. is to vacate condition No.1 in Anx.A bail order issued by the Judicial First Class Magistrate's Court, Alathur. The petitioner submitted Crl.M.P. No.2953/2015 before the said Magistrate's court, which was declined as per Anx. B order on the ground that if the said condition is lifted, the petitioner will definitely leave the place and that will affect the investigation.

2. Heard Sri.V.A.Johnson Varikkappallil, learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent–State of Kerala.

3. On a perusal of Anx.A bail order it is seen that the impugned condition No.1 issued on 29.4.2015 is that the petitioner shall appear before the investigating officer on every Monday and Friday between 10 a.m. and 12 Noon for two months. The currency period of the said direction is only till 29.6.2015. The petitioner is a member of the Indo–Tibetan Police Force and he has to report

before the said authorities without any further delay. The impugned condition will not be in force after 29.6.2015. Therefore, to ensure ends of justice, it is ordered that the said condition is lifted on condition that the petitioner shall swear to an affidavit before the court below assuring his co-operation with further proceedings in this crime. Accordingly, Anx.B order is modified and the said condition in Anx.B order will stand lifted from today onwards.

In this view of the matter, the Crl.M.C. stands finally disposed of.

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Sd/-
ALEXANDER THOMAS, JUDGE

P.S. to Judge