

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

Crl.MC.No.2964 of 2015 ()

CRIME NO. 2274/2014 OF ERNAKULAM CENTRAL POLICE STATION , ERNAKULAM

PETITIONERS :

- 1. SREELAL PANKAJAKSHAN, AGED 19 YEARS
S/O.PANKAJAKSHAN T.S. THAREKKAL (H)
VADAYAMPEROOR PO, PIN 682 307 (ACCUSED NO:8)**
- 2. ASWIN P.R., AGED 20 YEARS, S/O RAJAGOPAL P.S
PUTHALATH (H) NAYARAMBALAM P.O
ERNAKULAM PIN: 682509 (ACCUSED NO:6)**
- 3. VISHNU T.S., AGED 20 YEARS, S/O SHAJI T.K.
THANIKAPILLY (H) VYTILO P.O.
PONNURUNNI PIN : 682019 (ACCUSED NO:7)**
- 4. AMEER AJMAL, AGED 21 YEARS, S/O NIZAR IBRAHIM
THEYYIL (H), PALLURUTHY COCHIN - 6 (ACCUSED NO:9)**
- 5. NIDHUN K.M., AGED 21 YEARS, S/O MANI K.P.,
KALAPURAKKAL (H) UDAYAMPEROOR P.O., PIN 682307**

BY ADV. SRI.R.ROHITH

RESPONDENT(S) :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM, 682031**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
22-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

VS

ALEXANDER THOMAS, J

Crl.M.C.No.2964 of 2015

Dated this the 22nd day of May, 2015

ORDER

This Criminal M.C. has been instituted under Section 482 of the Code of Criminal Procedure seeking the invocation of the inherent powers conferred on this Court with the following prayer.

“This Hon'ble Court may be pleased to direct the Hon'ble Judicial First Class Magistrate Court, II Ernakulam to consider the petition for bail and release the petitioners on the date of surrender on any conditions as directed by the Hon'ble Court. And issue any other order, or direction appropriate in the circumstances of the case.”

2. Heard Sri.R.Rohith, the learned counsel for the petitioner and the learned Public Prosecutor for the respondent, State of Kerala.

3. Having heard the both sides and after taking into consideration the totality of the facts and circumstances of the case, it is ordered in the interest of justice that in the event of the petitioner voluntarily

surrendering before the Jurisdictional Magistrate concerned (Judicial First Class Magistrate Court-II, Ernakulam, dealing with the case arising out of Crime No.2274/2014 of Central Police Station, Ernakulam) without any further delay, and submits application for recall of warrant and application for grant of bail in these cases, then the learned Magistrate consider the same on the same day itself and in accordance with law and in the light of the facts and circumstances of the case. It is further ordered in the interest of justice that until orders are passed by the learned Magistrate as directed above, further coercive proceedings that are initiated against the petitioner in the execution of the impugned warrant may be kept under suspension. It is further ordered that in the event the petitioner does not surrender before the court below within 10 days from the date of the issuance of the certified copy of this order, then the aforementioned directions will stand automatically vacated. It is made clear that it is fully within the province of the learned Magistrate to decide the aforementioned applications in

accordance with law.

With these observations and directions this
Criminal M.C. will stand finally disposed of.

Sd/-
ALEXANDER THOMAS
JUDGE

VS

/TRUE COPY/

PA TO JUDGE