

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

Crl.MC.No. 3031 of 2015 ()

**CC 277/2000 WHICH IS RE-FILED FROM CC NO. 664/1998, NOW PENDING AS LP NO.
10/2001 ON THE FILE OF THE JUDL. FIRST CLASS MAGISTRATE COURT, PALA**

PETITIONER/ACCUSED :

**BIJU, AGED 46 YEARS,
S/O.PHILIPOSE, CHAKASSERY HOUSE, KOZHA KARA,
KURAVILANGADU VILLAGE, KOTTAYAM DISTRICT.**

BY ADV. SRI.N.P.PRAJEESH

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

bp

Crl.MC.No. 3031 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A : PHOTOCOPY OF THE JUDGMENT DATD 12-4-2000 IN CC.664/1998
PASSED BY THE JUDL.FIRST CLASS MAGISTRATE COURT, PALA.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K.ABRAHAM MATHEW J.

CrI.M.C. NO.3031 OF 2015

Dated this the 8th day of June, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The petitioner along with the co-accused was charged with having committed the offences under Sections 341,447,323, r/w 34 of IPC. As he was absconding all his co-accused were tried and acquitted and the case against him was split and removed to register of long pending cases. Now he is ready to surrender before the Magistrate concerned.

3. Heard.

4. Pursuant to the direction issued by this court the petitioner has deposited the amount covered by the bond executed by him before the police. It is submitted that he had not appeared before the Magistrate earlier as he was abroad. All the offences are bailable. If his appearance before the Magistrate is for the first time, he is entitled to bail under Section 436 Cr.P.C. His only request is to direct the Magistrate to consider the bail application that may be filed by him on the date of his surrender itself. Mention has already been made that the offences are bailable and his case is that so far he has not appeared before the Magistrate. It is sufficient that the Magistrate takes notice of Section 436 Cr.P.C and pass appropriate orders. This petition is disposed of with the above observation.

**K.ABRAHAM MATHEW
JUDGE**

pm