

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Crl.MC.No. 3048 of 2015

**LP 27/2000 IN SC.134/98 OF PRINCIPAL SUB COURT,IRINJALAKUDA
CRIME NO.108/1991 OF MATHILAKAM POLICE STATION**

PETITIONER/ACCUSED:

**ABDUL KHADER @ ILLU,
S/O.MUHAMMED ALI, PUZHANKARALLATH, CHALINGAD,
KAIPAMANGALAM, THRISSUR.**

**BY ADVS.SRI.C.ANILKUMAR (KALLESSERIL)
SRI.C.Y.VINOD KUMAR**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(REPRESENTED BY CIRCLE INSPECTOR OF POLICE,
CRIME NO 108//1991 OF MATHILAKAM POLICE
STATION) REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.S.HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 27-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

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APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1:-TRUE COPY OF THE BAIL ORDER DTD 26/6/1991 IN CRMC NO
656/1991 ON THE FILE OF THE HON'BLE HIGH COURT OF KERALA**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ALEXANDER THOMAS, J.

Crl.M.C.No.3048 Of 2015

Dated this the 27th day of May, 2015.

ORDER

The above captioned Crl.M.C has been filed under Sec. 482 of the Code of Criminal Procedure with the following prayers:

“.....to issue direction to the Principal Assistant Sessions Court, Irinjalakkuda, Thrissur District to consider and dispose the bail application that may be submitted by the petitioner/accused on the same day off his surrender before the court and moving for bail, by allowing this Memorandum of Criminal Miscellaneous Case, in the interest of justice.”

2. Heard Sri.C.Anil Kumar Kaleesseril, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent-State of Kerala.

3. Having regard to the totality of the facts and circumstances of this case, it is ordered in the interest of justice that in case the petitioner voluntarily surrenders before the court below concerned (dealing L.P.No.27/2000 arising out of S.C.No.134/1998 on the file of the Principal Assistant Sessions Court, Irinjalakkuda) within two weeks from today and submit necessary application for recall of the warrant and application for grant of bail, then the court below concerned shall

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consider those applications on the same day itself, in accordance with law and taking into consideration the facts and circumstances of this case. It is further ordered that the petitioner shall give advance notice to the Prosecutor concerned attached to the court below concerned intimating the date and time of surrender before the court below, at least 24 hours prior to such proposed surrender. It is further ordered in the interest of justice that until orders are passed by the court below concerned as directed above, further coercive steps against the petitioner may be kept in abeyance for the time being. It is made clear that in case the petitioner does not surrender before the court below concerned within the aforementioned period of two weeks from today as directed above, then the directions issued herein above shall automatically stand vacated. It is made clear that it is entirely within the province of the court below concerned to decide on the application for bail in accordance with law.

With these observations and directions, the Crl.M.C stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-