

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

Crl.MC.No. 3063 of 2015

**C.C.NO.1704/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PARAVOOR,
KOLLAM.**

CRIME NO. 295/2005 OF CHATHANNOOR POLICE STATION, KOLLAM

PETITIONER(S)/2ND ACCUSED :

**AJAYAKUMAR,
S/O.CHANDRAN PILLAI, SREEKRISHNA VILASOM,
MUDAKKARUVILA, KOONAYIL, PARAVOOR.**

BY ADV. SRI.M.R.SASITH

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
CHATHANNOOR POLICE STATION, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 28-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

ALEXANDER THOMAS, J.

Crl.M.C.No.3063 Of 2015

Dated this the 28th 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:

“This CRL.M.C is filed for direction to the Judicial First Class Magistrate Paravoor to consider the bail application on same day if filed by the petitioner in C C No 1704/2011 pending before the Judicial First Magistrate Court, Paravoor Kollam”

2. Heard Sri.M.R.Sasith Panicker, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondents-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 with the aforementioned case, without any further delay and submit necessary application for recall of the warrant and application for grant of bail, then the court below concerned shall 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

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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 a period of ten days from from the date of issuance of the certified copy of this order, 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/-