

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

CrI.MC.No. 3196 of 2015

CRIME NO.9/2014 OF AGATHI POLICE STATION, LAKSHADWEEP

PETITIONER(S) :

**ABOOBACKER P., AGED 35 YEARS,
S/O.MUHAMMED KOYA, PONTINODA HOUSE, AGATHI ISLANDS,
U.T.LAKSHADWEEP (ACCUSED NO.2)**

BY ADV. SRI.R.ROHITH

RESPONDENT(S) :

**UNION TERRITORY OF LAKSHADWEEP,
REPRESENTED BY STANDING COUNSEL.**

BY ADV. SRI.S.RADHAKRISHNAN, S.C

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

ALEXANDER THOMAS, J.

=====

Crl.M.C.No. 3196 of 2015

=====

Dated this the 2nd day of June, 2015

O R D E R

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

“direct the Hon'ble Chief Judicial Magistrate Court, Amini, Lakshadweep to recall the warrant and consider the petition for bail and release him on the date of surrender at any conditions as directed by the Hon'ble Court.”

2. Heard Sri.R.Rohith, learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent.

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 Chief Judicial Magistrate's Court, Amini, (dealing Crime No.9/2014 of Agathi Police Station, Lakshadweep) without any further delay and submits necessary application for recall of the warrant and application for grant of bail, then the above said Magistrate's court 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 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 three weeks from today, 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 CrI.M.C. stands finally disposed of.

sd/-
ALEXANDER THOMAS, JUDGE

sdk+
///True copy///

P.S. to Judge

