IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

Crl.MC.No. 3493 of 2015

SC 1069/2013 of I ADDITIONAL ASSISTANT SESSIONS COURT, THRISSUR
CRIME NO. 188/2013 OF KUNNAMKULAM POLICE STATION , THRISSUR

PETITIONER(S)/5TH ACCUSED:

NIKHIL, AGED 22 YEARS,
S/O. JAYAN, KUNIYATH HOUSE, CHIRAYANGADU,
KATTAKAMPAL POST, KUNNAMKULAM, THRISSUR DISTRICT.

BY ADV. SRI.T.PRASAD

RESPONDENT(S):

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM 682 031.

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 11-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PJ

ALEXANDER THOMAS, J.

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Crl.M.C.No. 3493 of 2015

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Dated this the 11th 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 prayers:

> "..... to direct the 1st Additional Assistant Sessions Court, Thrissur to release the Petitioner on Bail in case of his surrender before that Court in connection with Crime No.188/2013 of Kunnamkulam Police Station pending as S.C.No.1069/2013 on the file of the 1st Additional Assistant Sessions Court, Thrissur."

2. Heard Sri.T.Prasad, 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 1st Additional Assistant Sessions Court, Thrissur, dealing with the aforementioned case, within two weeks from today, and submits 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 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 two weeks as directed above, then the directions issued herein above shall automatically stand vacated. It is made also 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.

Sd/-

sdk+ ALEXANDER THOMAS, JUDGE

///True copy///

P.S. to Judge