

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

Crl.MC.No. 3649 of 2015

CRIME NO. 161/2013 OF NOORANAD EXCISE RANGE OFFICE , ALAPPUZHA

PETITIONER/ACCUSED:

**AMMINI, AGED 70 YEARS,
W/O.NARAYANAN, THODUVAKIZHAKKATHIL, PANAYIL MURI,
PALAMEL VILLAGE, MAVELIKKARA, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.V.MADHUSUDHANAN
SRI.M.SREEBHADRAN**

RESPONDENTS/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682031.**
- 2. EXCISE INSPECTOR,
NOORANAD EXCISE RANGE,
(CRIME NO 161 OF 2013)ALAPPUZHA DISTRICT-689001.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 18-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 3649 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1:-A COPY OF CRIME AND OCCURRENCE REPORT FILED BEFORE THE
JUDICIAL FIRST CLASS MAGISTRATE COURT II, MAVELIKKARA**

**ANNEXURE AII:-A COPY OF THE MAHAZAR FILED BEFORE THE JUDICIAL FIRST
CLASS MAGISTRATE COURT II, MAVELIKKARA**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ALEXANDER THOMAS, J.

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Crl.M.C.No. 3649 of 2015

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Dated this the 18th 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:

- “i) recall the warrant issued against the petitioner by Judicial First Class Magistrate Court-II, Mavelikkara in C.P.No. 64 of 2014 in Crime No. 161 of 2013 of Nooranad Excise Range.
- ii) direct the Judicial First Class Magistrate Court-II, Mavelikkara to consider the bail application filed by the petitioner on the date of her surrender.”

2. Heard Sri.V.Madhusudhanan, 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 Judicial First Class Magistrate's Court-II, Mavelikkara, 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 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 two weeks 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.

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///True copy///

Sd/-
ALEXANDER THOMAS, JUDGE

P.S. to Judge

Cr1.M.C.3649/15

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