

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Crl.MC.No. 3690 of 2015 ()

CRIME NO. 184/2014 OF IRITTY POLICE STATION , KANNUR DISTRICT

PETITIONER(S)/ACCUSED :

- 1. VISHNU PRASAD, AGED 24 YEARS,
S/O.SUDHAKARAN NAMBUTHIRI, R/AT N:21/14 VEENANILAYAM,
PUNNAD.P.O., IRITTY TALUK, KANNUR DT.**
- 2. RAJESH.M., AGED 34 YEARS,
S/O.BALAKRISHNAN NAMBUTHIRI, MALLISARI ILLAM,
MEETHALE PUNNED ILLAM MOOLAM, PUNNAD.P.O.,
IRITTY TALUK, KUNNUR DT.**

**BY ADVS.SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031**

BY PUBLIC PROSECUTOR SMT. S.HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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ALEXANDER THOMAS, J.

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Crl.M.C.No. 3690 of 2015

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Dated this the 22nd 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:

“.....to allow this Crl.M.C and may please to direct the Hon'ble Judicial First Class Magistrate Court I Mattanoor to consider the bail application in Crime No.184/2014 of Iritty Police Station Kannur District which would be filed by the petitioners, on the date of filing of the application itself. And may also be pleased to pass any other order or direction deem fit and proper to the circumstances of this case and thus render justice.”

2. Heard Sri.T.B.Shajimon, learned counsel for the petitioners 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 petitioners voluntarily surrender before the Judicial First Class Magistrate's Court I Mattanoor in Crime No.184/2014 of Iritty Police Station, Kannur District, within two weeks from today, and submit 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 petitioners 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 petitioners may be kept in abeyance for the time being. It is made clear that in case the petitioners do 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.

Sd/–ALEXANDER THOMAS, JUDGE

MJL