

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 3786 of 2015 ()

CRIME NO. 521/2015 OF KAYAMKULAM POLICE STATION , ALAPPUZHA

PETITIONER(S)/3RD ACCUSED:

**ANILKUMAR AGED 33 YEARS
S/O.KUMARAN, KANNEPARAMBIL KIZHAKKATHIL, PRAYAR NORTH
PRAYAR P.O., PUTHUPALLY VILLAGE, ALAPPUZHA - 690 547.**

**BY ADVS.SRI.P.B.SAHASRANAMAM
SRI.T.S.HARIKUMAR**

RESPONDENT(S)/STATE & THE INVESTIGATING OFFICER:

- 1. STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM -682 031.**
- 2. THE SUB INSPECTOR OF POLICE
KAYAMKULAM POLICE STATION, KAYAMKULAM
ALAPPUZHA - 690 502.**

R BY PUBLIC PROSECUTOR ADVT.SMT.S.HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
24-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 3786 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE-A1: TRUE PHOTOSTAT COPY OF THE ORDER IN
B.A.NO.1780/2015 OF THE HON'BLE HIGH COURT OF
KERALA, DATED 25.5.2015**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE

avk

ALEXANDER THOMAS, J.

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Crl.M.C.No.3786 of 2015

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Dated this the 24th 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) “.....to direct the investigating officer in Crime No.512 of 2015 of the Kayamkulam police station to produce him before the Judicial First Class Magistrate Court, Kayamkulam on the same day of surrender and a further direction to the concerned Magistrate to consider his bail application positively on the same day of his appearance,

2. Heard Sri.P.B.Sahasranamam, 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, Kayamkulam, (dealing with Crime No.521/2015), 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.

Sd/-

ALEXANDER THOMAS, JUDGE
//TRUE COPY//

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PA TO JUDGE

