

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

Crl.MC.No. 3789 of 2015

PETITIONER :

**SANKAR G.DAS, AGED 37 YEARS,
S/O. GOPI, VAZHAKKATTU HOUSE, VATTEKKATTU VILLAGE,
PUTHUPPALLY, KOTTAYAM DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENTS :

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. SECRETARY TO HOME DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 3. DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM-695 001.**
- 4. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY SRI.TOM JOSE PADINJAREKKARA (ADDL. DGP)

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 06-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE I :** TRUE COPY OF LIST OF CASES PENDING IN DIFFERENT DISTRICTS.
- ANNEXURE II:** TRUE COPY OF GAZETTE NOTIFICATION DATED 26.06.2014.
- ANNEXURE III:** TRUE COPY OF THE ORDER DATED 22.08.2014 IN CRL.MC NO.4138/2014 PASSED BY THIS HON'BLE COURT.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.A.TO JUDGE

bp

ALEXANDER THOMAS, J.

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Crl.M.C No.3789 of 2015

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Dated this the 6th day of August, 2015

O R D E R

As regards the main prayer in this Crl.M.C, Sri. S. Rajeev, learned counsel for the petitioner, submits that the petitioner is not pressing this Crl.M.C and that the matters in respect of the main prayer raised in this petition, would accordingly be closed. However, it is pointed out by the learned counsel for the petitioner that the petitioner, who is accused in altogether 61 similar cases including the instant one and though he was granted bail in all the crimes, he could not execute bond separately in each of these 61 crimes, as directed in the respective bail order concerned, as the sureties of the petitioner have already executed bond in one crime, in compliance with the bail order in one crime and as the original of the land tax receipt of such sureties has already been produced in that court. It is pointed out that this Court in a similar situation in the order dated 31.10.2013 in Crl.M.C No. 4277/13 has ordered therein that the petitioner therein could be permitted to furnish copies of the documents attested by the Notary Public before all the courts concerned except the one before whom the original of the land

tax receipts were produced, in compliance of the bail order of that court. But it is pointed out by the petitioner that in such a scenario, in spite of such permission, the learned Magistrate concerned in respect of all the other crimes should be personally satisfied that the sureties are solvent to the respective extent for which the bond is executed. As this matter is not the main subject matter of this Crl.M.C, this Court is of the considered opinion that this prayer now newly sought to be advanced before this Court need not be considered at this stage. However, in the interest of justice it is made clear that it is for the petitioner to approach the competent criminal court concerned for modification of the conditions in the bail order concerned upon which it is for the learned Magistrate concerned to consider the same in accordance with law and take a decision thereon.

With these observations and directions, the Crl.M.C stands closed.

sab

Sd/-
ALEXANDER THOMAS, JUDGE

///True copy///

P.A. TO JUDGE.