

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Crl.MC.No. 3838 of 2015

**CC 1614/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHAVAKKAD
CRIME NO. 755/2014 OF GURUVAYOOR POLICE STATION , TRISSUR**

PETITIONER(S)/ACCUSED 1 & 2:

- 1. V N RADHAKRISHNAN, AGED 64 YEARS,
S/O.NARAYANAN, SANTHIMADOM, NORTH PARAVUR,
ERNAKULAM DISTRICT, PIN-683 513.**
- 2. RENJISHA, AGED 36 YEARS,
W/O.RAJESH, KANKATHU VEEDU, N.S.S.COLLEGE.P.O.
PALAKKAD-678008.**

BY ADV. SRI.V.A.PRADEEP KUMAR

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.S. HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

ALEXANDER THOMAS, J.

Crl.M.C.No.3838 Of 2015

Dated this the 25th day of June, 2015.

ORDER

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 J.F.C.M-1, Chavakkad, to consider the Bail Application filed by the petitioners on the same day itself and pass orders in accordance with law till then the Non Bailable Warrant issued against the petitioners in C.C.No.1614 of 2014 on the file of the J.F.C.M-1, Chavakkad to keep in abeyance in the interest of justice.”

2. Heard Sri.V.A.Pradeep Kumar, 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 petitioner voluntarily surrenders before the Judicial First Class Magistrate Court-I, Chavakkad (dealing C.C.No.1614/2014) within two weeks from today and submit 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

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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 the aforementioned period of two weeks from today 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.

ALEXANDER THOMAS,
Judge.

bkn/-