

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. 3849 of 2015

CRIME NO. 926/2014 OF KODUMON POLICE STATION , PATHANAMTITTA

PETITIONER(S)/ACCUSED 1 & 2:

- 1. PEETHAMBARAN,
THENGUVILAYIL VEEDU, ANANDAPPALLY,
PATHANAMTHITTA.**
- 2. PRASANTH, S/O.PEETHAMBARAN,
THENGUVILAYIL VEEDU, ANANDAPPALLY,
PATHANAMTHITTA.**

**BY ADVS.SRI.M.T.SURESHKUMAR
SRI.S.SANAL KUMAR
SMT.SMITHA PHILIPOSE
SMT.BHAVANA VELAYUDHAN**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**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.3849 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 pass an order directing the Judicial Magistrate of First Class, Adoor to consider the bail application filed by the petitioners herein above, in the event of them surrendering before the above said court in connection with Crime No.926 of 2014 of Kodumon Police Station and may issue necessary direction to release the petitioners on bail, as the allegations only reveal bailable offences.”

2. Heard Sri.M.T.Suresh 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, Adoor (dealing Crime No.926/2014 of Kodumon Police Station) 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

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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 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/-