

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

CrI.MC.No. 3881 of 2015 ()

CRIME NO. 349/2015 OF KOLATHUR POLICE STATION, MALAPPURAM DISTRICT

/PETITIONER/ACCUSED :

**VINESH K.,
S/O. SUBRAMANIAN, AGED 30 YEARS
KARUVANTHODI HOUSE, CHEMMALASSERY
PULAMANTHOLE, MALAPPURAM DISTRICT.**

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
THROUGH SUB INSPECTOR,
KOLATHUR POLICE STATION
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. P. SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 3881 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE I- TRUE COPY OF THE GOODS CARRIAGE PERMIT OF THE
VEHICLE BEARING REGISTRATION NO. KL-46-7742.**

ANNEXURE II- TRUE COPY OF THE SALE AGREEMENT DATED 27-03-2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

ALEXANDER THOMAS, J.

Crl.M.C.No.3881 Of 2015

Dated this the 26th 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 issue a direction to the J.F.C.M. Court-I, Perinthalmanna to consider the bail application filed by the petitioner on the same day itself and grant bail in Kolathur Police Station Crime No.349 of 2015 in the interest of justice.”

2. Heard Sri.U,K,Devidas, 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 Court-I, Perinthalmanna (dealing Crime No.349/2015 of Kolathur 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 same day itself, in accordance with law and taking into

Crl.M.C.No.3881 Of 2015

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/-