

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

Crl.MC.No. 3930 of 2015 ()

**CC.NO. 574/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II,
PERINTALMANNA
CRIME NO. 595/2006 OF PERINTALMANNA POLICE STATION, MALAPPURAM**

PETITIONERS/ACCUSED :

- 1. IMBICHIKOYA THANGAL
S/O. POOKOYA THANGAL, VALIYAKATHODI HOUSE,
AMMINIKKAD, MALAPPURAM DISTRICT.**
- 2. ABDUL LATHEEF
S/O. UMMER, VAZHETHODI HOUSE, THAZHEKODE AMSOM
PERINTALMANNA, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.K.C.ANTONY MATHEW
SRI.JITHIN LUKOSE**

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF EKRALA
ERNAKULAM - 682 031
(THROUGH THE SUB INSPECTOR OF POLICE
PERINTALMANNA IN CRIME NO 595/2006).**

BY PUBLIC PROSECUTOR SRI. R. GITHESH

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 3930 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A1 TRUE COPY OF THE FIR IN CRIME NO. 595/2006 OF
 PERINTALMANNA POLICE STATION.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

ALEXANDER THOMAS, J.

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Crl.M.C No.3930 of 2015

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Dated this the 29th 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:

“to direct the Judicial First Class Magistrate Court-II, Perinthalmanna to consider the bail application to be filed by the petitioners/accused in 574/2010 in C.C No.501/2008 in Crime No.595/2006 of Perinthalmanna Police Station on their surrender before the court and release them on bail on the same day in the interest of justice”

2. Heard Sri.P. Samsudin, 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-II, Perinthalmanna dealing with C.C No.574/2010 in Crime No.595/2006, 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/-

sab

ALEXANDER THOMAS, JUDGE

