

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. 3933 of 2015 ()

CC 183/2010 of JUDICIAL FIRST CLASS MAGISTRATE COURT - I, ETTUMANUR

PETITIONER/ACCUSED NO.4 :

**JAYAMMA, AGED 50 YEARS,
W/O.THOMAS VARGHESE, PUNNASSERY VELIYIL VEEDU,
ARYANDU SOUTH PANCHAYATH, KOMALAPURAM VILLAGE,
ALAPPUZHA VILLAGE.**

BY ADV. SRI.T.P.SANTHOSH KUMAR

RESPONDENTS/COMPLAINANT :

**1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**

**2. STATE OF KERALA
REPRESENTED BY STATION HOUSE OFFICER OF
GANDHI NAGAR POLICE STATION
ETUMANOOR, KOTTAYAM DISTRICT - 686 031.**

R1 & R2 BY PUBLIC PROSECUTOR SRI.C.K. SURESH

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

bp

ALEXANDER THOMAS, J.

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Crl.M.C No.3933 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 at Ettumanoor to consider and pass orders on the bail application filed by the petitioner on the same day in the event of her surrender or to enlarge her on bail in the interest of justice”

2. Heard Sri.Santhosh Kumar, 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, Etumanoor (dealing with C.C No.183 of 2010), 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.

sab

ALEXANDER THOMAS, JUDGE

