

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

Cri.MC.No. 4114 of 2015

LP 11/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KUNNAMKULAM

PETITIONER(S)/ACCUSED:

**T.K.SUBASH KUMAR,
S/O KUTTAN, THERUPARAMBIL HOSUE, MANGAD POST,
KUNNAMKULAM, THRISSUR DISTRICT.**

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S)/COMPLAINANTS:

**1. RASHID,
S/O NOONIYIL ABU, AYINOOR DESOM, THALAPPILLY TALUK,
PAZHANJI VILLAGE, THRISSUR DISTRICT.**

**2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.GITHESH R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
06-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

ALEXANDER THOMAS, J.

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Crl.M.C No.4114 of 2015

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Dated this the 6th day of July, 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 Hon'ble Chief Judicial Magistrate Court, Kunnamkulam to release the petitioner on bail on his surrender before the said court in connection with L.P No.11/2012 on the file of Chief Judicial Magistrate Court, Kunnamkulam”

2. Heard Sri.Kaleeswaram Raj, 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, Kunnamkulam (dealing with L.P No.11/2012), within two weeks from today, and submits necessary application for grant of bail, and for recall of warrant of arrest, then the learned Magistrate shall consider such application for bail on the same day and grant the same, subject to imposition of any

conditions by the learned Magistrate that are just and necessary in the facts of the case and consequent formal orders on application for recall of warrant will also be then passed. 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 in pursuance of the execution of the impugned warrant 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.

With these observations and directions, the Crl.M.C. stands finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE