

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

Crl.MC.No. 4121 of 2015 ()

PETITIONERS :

- 1. RAJU M.P., AGED 56 YEARS, S/O PAVUNNI,
MEIKATTUKULAM HOUSE, KAPPATTIPADAM,
KALOOR, NOW RESIDING AT ATTEPARAMBU LANE,
ALINCHUVADU VENNALA P.O.**
- 2. STANLY P.S. AGED 54 YEARS,
S/O SANDHYAVU, PADAMATTUMMEL HOSUE, PONEVAZHI ROAD,
ELAMAKKARA P.O., NOW RESIDING AT EDATHALA P.O.
POOKATTUPADI.**

BY ADV. SRI.T.K.AJITHKUMAR (VALATH)

RESPONDNET :

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

BY PUBLIC PROSECUTOR SRI.N. SURESH

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

bp

ALEXANDER THOMAS, J.

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Crl.M.C No.4121 of 2015

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Dated this the 6th day of July, 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 Hon'ble Judicial First Class Magistrate Court-II, Ernakulam to consider the bail application of the petitioners on the date of surrender itself and to grant bail to the petitioners in L.P No.93/2014”

2. Heard Sri.T.K Ajithkumar, 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 petitioners voluntarily surrender before the Judicial First Class Magistrate's Court-II, Ernakulam (dealing with L.P No93/2014), 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 petitioners 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 petitioners may be kept in abeyance for the time being. It is made clear that in case the petitioners 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

