

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

Crl.MC.No. 4231 of 2015 ()

CRIME NO. 677/2015 OF SAKTHIKULANGARA POLICE STATION, KOLLAM DISTRICT

PETITIONER/A1 :

**YESUDAS
AGED 29 YEARS, S/O. TERANCE
STEAPHEN LAND, NEENDAKARA MURI
NEENDAKARA VILLAGE,
KOLLAM DISTRICT.**

BY ADV. SRI.N.SUNIL JOSEPH

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING THE SUB INSPECTOR OF POLICE
SAKTHIKULANGARA POLICE STATION
KOLLAM DISTRICT – 691 001.**

BY PUBLIC PROSECUTOR SRI. N. SURESH

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

Crl.MC.No. 4231 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A1 : CERTIFIED COPY OF THE FIR IN CRIME NO. 677/2015 OF
SAKTHIKULANGARA POLICE STATION, KOLLAM DISTRICT.

ANNEXURE A2 COPY OF THE ORDER DT. 16.6.2015 IN BA NO. 3244 OF 2015 OF
THIS HON'BLE COURT.

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

ALEXANDER THOMAS, J.

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Crl.M.C.No.4231 of 2015

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Dated this the 9th 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 quash Annexure A1 F.I.R in crime No.677/2015 of Sakthikulangara Police Station, Kollam District and all proceedings pursuant thereto, in respect of the petitioner/1st accused, in the interest of justice”

2. The petitioner submits that the petitioner is not pressing the main prayer in this Crl.M.C. with liberty to work out his remedy in that regard, in accordance with law. Accordingly the prayer in the petition is closed with the aforestated liberty. However the learned counsel for the petitioner submits that the only other limited relief that he would press is that appropriate direction may be given to the court below to ensure consideration of his bail application that to be moved consequent to his appearance to the court below on the day of his appearance itself etc.

3. Heard Sri.N.Sunil Joseph, learned counsel for the petitioner and the learned Public Prosecutor appearing for the

respondent–State of Kerala.

4. 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 court dealing with Crime No.677/2015 of Sakthikulangara Police Station, Kollam within two weeks from today and submits necessary application for grant of bail, then the court below concerned shall consider the application for bail 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 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 direction issued herein above will stand automatically 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/–ALEXANDER THOMAS, JUDGE

MJL