

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

CrI.MC.No. 4262 of 2015 ()

CRIME NO. 369/2015 OF SASTHAMCOTTA POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED – A1 :

**AKHIL RAJ
AGED 22 YEARS, S/O. RAVEENDRAN
'SAHITHI', PALLISSERIKAL P.O.,
SASTHAMCOTTA VILLAGE,
KOLLAM DISTRICT.**

BY ADV. SRI. P.V. DILEEP

RESPONDENT/COMPLAINANT :

- 1. THE SUB INSPECTOR OF POLICE
SASTHAMCOTTA POLICE STATION,
KOLLAM DISTRICT – 690 523.**
- 2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM – 682 031.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. R. GITHESH

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

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ALEXANDER THOMAS, J.

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Crl.M.C.No. 4262 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:

- “i) issue a direction to the Judicial First Class Magistrate Court, Sasthamcotta to consider the petitioner's bail application in crime No.369/2015 of the Sasthamcotta Police Station, on the date of surrender itself and
- ii) issue such other order or direction as this Hon'ble court may deem fit and proper in the facts and circumstances of the case.”

2. Heard Sri.P.V.Dileep, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondents.

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 Court, Sasthamcotta, 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