

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

Crl.MC.No. 4271 of 2015 ()

**CP.NO. 18/2015 OF JUDICIAL FIRST CLASS MAGISTRATE'S COURT, KATTAPPANA
CRIME NO. 69/2014 OF EXCISE RANGE OFFICE, KATTAPPANA**

PETITIONER/ACCUSED :

**SUDHEESH @ KOCHUMON, AGED 36 YEARS
S/O.ABRAHAM @ BABU, VAZHAKUNNATHU HOUSE
VAZHAVARA KARA, KATTAPPANA VILLAGE,
UDUMBANCHOLA TALUK, IDUKKI DISTRICT-685508.**

BY ADV. SRI.K.K.JAYARAJ NAMBIAR

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
(REP. BY THE EXCISE INSPECTOR, EXCISE RANGE OFFICE
KATTAPPANA-CR.NO.69/2014 OF EXCISE RANGE OFFICE, KATTAPPANA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. N. SURESH

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

ALEXANDER THOMAS, J.

Crl.M.C.No.4271 Of 2015

Dated this the 14th 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 prayer:

“..... to direct the Court below to consider and dispose of the bail application that may be submitted by the petitioner on the same day itself of his surrender and moving for bail, by allowing this Memorandum of Criminal Miscellaneous Case, in the interest of justice.”

2. Heard Sri.K.K.Jayaraj Nambiar, 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 Court, Kattappana, in C.P.No.18/2015 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

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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.

ALEXANDER THOMAS,
Judge.

bkn/-