

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

Crl.MC.No. 4397 of 2015

CC 19/2013 OF CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD

CRIME NO. 215/2011 OF PATTAMBI POLICE STATION, PALAKKAD
.....

PETITIONER(S)/ACCUSED:

**DR. HARISH BABU MADDINENI, AGED 45 YEARS,
S/O.CHOWDARY, FLAT NO.108,
CREATIVE SNEHA APARTMENTS, BOTANICAL GARDENS,
KONDAPUR, HYDERABAD, ANDHRA PRADESH.**

BY ADV. SRI.RAJIT

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.GITHESH

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
15-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

RAJA VIJAYARAGHAVAN.V, J.

Crl.M.C No.4397 of 2015

Dated this the 15th day of July, 2015

ORDER

1. The petitioner is the first accused in C.C.No.19 /2013 of the learned Chief Judicial Magistrate Court, Palakkad. The said crime is registered under Section 406, 420 r/w S. 34 of the IPC and under Section 3, 4, 5 and 6 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978.

2. It is submitted that the aforesaid crime was registered when the petitioner was in judicial custody and police has submitted absconding charge against the petitioner despite being aware that the petitioner was in custody.

3. In this petition filed under S. 482 of the Code of Criminal Procedure , the petitioner seeks a direction to the learned Magistrate to recall the non bailable warrant issued as against him and to consider his application for

bail. It appears that it is on account of the non appearance of the petitioner before the learned Magistrate, that non bailable warrant was issued against him.

4. After having heard the learned Counsel appearing for the petitioner and the learned Public Prosecutor and after taking note of the relevant facts and attendant circumstances, it is hereby ordered that in the event of the petitioner surrendering before the learned Magistrate on or before 29.7.2014 and applies for recalling the warrant and grant of bail, after serving advance notice to the prosecutor concerned, the same shall be considered and disposed of on its merits, on the same date itself. Coercive steps, if any pending as against the petitioner, shall be kept in abeyance till then .

Crl.M.C is disposed of as above.

Sd/-

RAJA VIJAYARAGHAVAN.V
Judge

//TRUE COPY//

P.A. TO JUDGE

AD