

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

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

Cr1.MC.No. 4415 of 2015

CRIME NO. 132/2010 OF MELATTUR POLICE STATION, MALAPPURAM

L.P NO.105/2014 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT II,
PERINTHALMANNA.

PETITIONER/1ST ACCUSED:

ASHRAF, AGED 35 YEARS,
S/O.MOHAMMED,
RIPPON P.O, WAYANAD DISTRICT.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT/COMPLAINANT:

STATE OF KERALA, THROUGH SUB INSPECTOR,
MELATTUR POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJURAN

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

Crl.MC.No. 4415 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE I: COPY OF THE FIRST INFORMATION REPORT IN MELATTUR
POLICE STATION IN CRIME NO.132/2010

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.4415 of 2015

Dated this the 15th day of July, 2015

O R D E R

The petitioner herein is the 1st accused in C.C No.211/2011 which stands transferred to the register of long pending cases as L.P No.105/2014 before the Judicial First Class Magistrate Court II, Perinthalmanna. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to decide and dispose of his application for bail, on the date of surrender itself. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. It is for the learned Magistrate to decide whether bail could be granted to the petitioner. The petitioner will have to surrender before the learned Magistrate and make application for bail. He will have to explain the reason for his absence in court. Anyway, let appropriate decision regarding bail be taken by the learned Magistrate. However, a direction can be made to consider and dispose of the application

for bail on the date of surrender itself.

In the result, this petition is disposed of with direction to the court below that in case the petitioner makes application for bail on surrender in C.C No.211/2011 (now pending as L.P No.105/2014) the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side.

**P.UBAID
JUDGE**

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