

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. 4425 of 2015 ()

**CC.NO. 1986/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -III, PUNALUR
CRIME NO. 957/2012 OF KUNNICODE POLICE STATION , KOLLAM DISTRICT**

PETITIONER :

**ANIMON, AGED 35 YEARS,
S/O.RAJU, CHARUVILA PUTHEN VEEDU,
PANTHAPLAVU, PATTAZHI.P.O., PATHANAPURAM.**

BY ADV. SRI.L.G.SURESH BABU

RESPONDENT :

**THE SUB INSPECTOR OF POLICE,
KUNNIKODE POLICE STATION, KUNNIKODE-691 002**

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:**

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RAJA VIJAYARAGHAVAN.V. J

Crl.M.C. 4425 of 2015

Dated 15th July, 2015

ORDER

1. The petitioner is the sole accused in C.C.No.1986 of 2012 on the files of the Judicial Magistrate of First Class-III, Punalur. The case is registered for offence punishable under Section 304A and 279 of the IPC.
2. It is submitted by the learned counsel that after the incident, the petitioner had gone abroad for a job and he could not appear before the trial Court. On account of the non appearance of the petitioner before the learned Magistrate, non bailable warrant has been issued against the petitioner by the learned Magistrate. The prayer is to direct the learned Magistrate for releasing the petitioner on bail at the time of his appearance.
3. This Court will not be justified in directing the enlargement of the petitioner on bail without ascertaining

the circumstances under which the petitioner remained absent before the learned Magistrate.

4. In view of the above, it is hereby ordered that in the event of the petitioner surrendering before the Judicial Magistrate of First Class-III, Punalur, 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 orders passed on its merits on the same day itself . Coercive steps, if any, pending as against the petitioner , shall be kept in abeyance till then.

The Criminal Miscellaneous Case is disposed of as above.

SD/-

RAJA VIJAYARAGHAVAN.V.
Judge

MrCs

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P.S.To Judge