

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

Crl.MC.No. 4448 of 2015 ()

(LP.NO. 19/2015 OF ADDL. CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR)

PETITIONER(S)/ACCUSED 1 AND 2:

- 1. DHARMARAJAN, AGED 49 YEARS,
S/O. P.KOTHA, F2, AG'S OFFICE STAFF QUARTERS,
PULLEZHI P.O., THRISSUR - 680 012.**
- 2. PRASHEELA M.A., AGED 43 YEARS,
W/O. DHARMARAJAN, F2, AG'S OFFICE STAFF QUARTERS,
PULLEZHI P.O., THRISSUR - 680 012.**

**BY ADVS.SRI.K.NIRMALAN
SRI.A.RAJASIMHAN**

RESPONDENT(S)/STATE AND THE COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. HARI.T.P, AGED 47 YEARS,
S/O. KARUNAKARA MENON, HARI VIHAR, PADOOKKADU,
VIYYUR P.O., THRISSUR - 680 001.**

R1 BY PUBLIC PROSECUTOR SRI.GITHESH.R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 16-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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ALEXANDER THOMAS, J.

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Crl.M.C No.4448 of 2015

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Dated this the 16th 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... to invoke the inherent jurisdiction under section 482 of Criminal Procedure Code, 1973 and direct the Additional Judicial Magistrate Court, Thrissur to recall the non bailable warrant issued against the petitioners and to release the petitioners on bail in L.P No.19/2015 on appearance.”

2. Heard Sri.K. Nirmalan, learned counsel for the petitioners 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 petitioners voluntarily surrender before the Additional Chief Judicial Magistrate Court, Thrissur (dealing with L.P No.19/2015), within two weeks from today, and submit separate applications for recall of the warrant and applications for grant of bail, then the court below concerned shall consider those applications 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 petitioners 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 further ordered in the interest of justice that until orders are passed by the court below concerned as directed above, further coercive steps against the petitioners may be kept in abeyance for the time being. It is made clear that in case the petitioners do not surrender before the court below concerned within a period of two weeks as directed above, then the directions issued herein above shall automatically stand 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.

sab

ALEXANDER THOMAS, JUDGE

