

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

Crl.MC.No. 4496 of 2015 ()

**-----
CP. NO. 92/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,
KODUNGALLUR.**

.....

PETITIONER/ACCUSED NO.2:

**-----
JASIM V.NAZAR, AGED 22 YEARS,
S/O.LATE V.K. NAZAR, VADAKKANOLIL HOUSE,
LOKAMALLESWARAM, KODUNGALLUR P.O.,
THRISSUR DISTRICT-680 664.**

**BY ADVS.SRI.C.S.MANU,
SRI.S.K.PREMRAJ.**

RESPONDENTS/COMPLAINANT AND THE INVESTIGATING OFFICER:

-
- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
 - 2. SUB-INSPECTOR OF POLICE,
KODUNGALLOOR POLICE STATION,
THRISSUR DISTRICT, PIN-680 664,
(NOTICE TO WHOM MAY BE SERVED ON
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM).**

BY PUBLIC PROSECUTOR SRI.GITHESH. R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A1 COPY OF THE ORDER DATED 26/06/2015 IN BA NO.3465/2015
PASSED BY THIS HON'BLE COURT.**
- ANNEXURE A2 COPY OF THE ORDER DATED 09/07/2015 ISSUED BY THIS
HON'BLE COURT CRL.MC. NO.4246/2015 FILED BY THE
PETITIONER.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

ALEXANDER THOMAS, J.

=====

Crl.M.C No.4496 of 2015

=====

Dated this the 17th 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. Recall the non-bailable warrant ordered against the petitioner in C.P No.92 of 2015 on the file of the Judicial First Class Magistrate's Court, Kodungalloor.
- ii. Direct the Judicial First Class Magistrate, Kodungalloor to enlarge the petitioner on bail in C.P No.92 of 2015 on the files of the said Court, upon his application for bail.
- iii. Grant such other relief as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.”

2. Heard Sri.C.S Manu, 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's Court, Kodungalloor (dealing with C.P No.92 of 2015), within two weeks from today, and submits necessary application for recall of the warrant and application 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 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 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 petitioner may be kept in abeyance for the time being. It is made clear that in case the petitioner does not surrender before the court below concerned within a period of fifteen days 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.

sd/-

sab

ALEXANDER THOMAS, JUDGE

