

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. 4516 of 2015 ()

CC 63/2014 of CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR

PETITIONERS/ACCUSED 1 AND 3:

- 1. SUNIL KUMAR A., AGED 45 YEARS,
S/O.A.S.UNNI, ADIMOOOLITHARAYIL HOUSE, ALAMKODE P.O.
MALAPPURAM DIST.**
- 2. SADANANDAN.A., AGED 50 YEARS,
S/O.A.S.UNNI, ADIMOOOLITHARAYIL HOUSE, ALAMKODE P.O.,
MALAPPURAM DIST.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENTS/STATE & COMPLAINT :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
THRISSUR WEST POLICE STATION, AYYANTHOLE P.O.,
THRISSUR - 680 003.**
- 3. SAVITHA T.V.
D/O.VENUGOPALAN, THEKKIL HOUSE, KRISNA PILLA NAGAR,
TRIKKUMARAKUDAM P.O., AYYANTHOLE THRISSUR 680 003.**

R1 & R2 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:**

bp

ALEXANDER THOMAS, J.

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Crl.M.C No.4516 of 2015

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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) permit the petitioners to surrender before the trial court in C.C No.63/2014 pending before the Chief Judicial Magistrate Court, Thrissur within such appropriate time limit fixed by this honorable court.
- ii) direct the Chief Judicial Magistrate Court, Thrissur to consider and dispose of the bail application on the same day the petitioners surrender before the court in C.C No.63/2014 pending before the Chief Judicial Magistrate Court, Thrissur.
- iii) to grant any other relief that this Hon'ble Court may deem fit to grant in the interest of justice.”

2. Heard Sri.K.R Avinash, 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 Chief Judicial Magistrate's Court, Thrissur (dealing with C.C No.63/2014), 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 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.

sd/-

sab

ALEXANDER THOMAS, JUDGE

