

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

Crl.MC.No. 4741 of 2015 ()

IN CP 41/2015 of J.M.F.C.-II, NEDUMANGAD

PETITIONER(S)/ACCUSED 1 TO 3:

- 1. RAJILA BEEVI, AGED 38 YEARS
D/O. JUMAILA BEEVI, THAIVILA VEEDU
PARAMBATHAIPARAMBA, THEVANPARA, THOLIKKODE VILLAGE
NEDUMANGAD, THIRUVANANTHAPURAM DISTRICT.**
- 2. SAIFUDHEEN, AGED 56 YEARS
S/O. HASSAN KUNJU, BINSHAD MANZIL, VELLANCHIRA
PANAVOOR VILLAGE, NEDUMANGAD
THIRUVANANTHAPURAM DISTRICT.**
- 3. SHIHABUDEEN, AGED 52 YEARS
S/O. HASSAN KUNJU, R.K.HOUSE, VELLANCHIRA
PANAVOOR VILLAGE, NEDUMANGAD
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENT(S)/STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
29-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 4741 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE I : COPY OF THE SUMMONS ISSUED TO THE 1ST PETITIONER.

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

VS

ALEXANDER THOMAS, J.

=====

Crl.M.C.No.4741 of 2015

=====

Dated this the 29th day of July, 2015

ORDER

The above captioned Criminal Miscellaneous Case has been filed with the prayer to direct the Judicial First Class Magistrate Court-II, Nedumangad, to consider and pass orders on the bail application to be filed by the petitioners in the light of the decision of this Court in the case Shanu v. State of Kerala, reported in 2000 (3) KLT 452 and Prem Shameer v. State of Kerala reported in 2010 (4) KLT 620.

2. In the facts and circumstances of this case, it is ordered in the interest of justice that in the event of the petitioners appearing and surrendering on or before 12.08.2015 before the Judicial First Class Magistrate Court-II, Nedumangad and file appropriate application for recall of warrant and application for bail on their behalf, then the above said learned Magistrate shall consider those applications on the same day itself and in the light of the decision of this Court in the case Shanu v. State of Kerala reported in 2000 (3) KLT 452 and take decision therein. Needless to say, the learned Magistrate shall

examine the merits of the matter raised in the aforementioned bail application of the petitioners. The petitioners are also at liberty to produce a photocopy of the reported text of the decision of this Court in the case Shanu v. State of Kerala reported in 2000 (3) KLT 452 and Prem Shameer v. State of Kerala reported in 2010 (4) KLT 620, for the perusal of the learned Magistrate. Further, in the interest of justice, it is ordered that until consideration and disposal of the bail application of the petitioners by the learned Magistrate as directed above, all further coercive action in pursuance of the impugned warrant against the petitioners will be kept in abeyance.

The Crl.M.C. is finally disposed of with the above said observations and directions.

Sd/-
ALEXANDER THOMAS
JUDGE

VS