

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Crl.MC.No. 4788 of 2015 ()

SC. NO.463/2011 OF PRINCIPAL SESSIONS COURT, ERNAKULAM.

.....

PETITIONERS/ACCUSED NO.1 AND 2:

- 1. BABU LONAN, S/O.KUNJU LONAN,
ANAMTHURUTHEL HOUSE, MAROTTICHODU BAGAM,
EDAPPALLY, KOCHI-24.**
- 2. BIJI LONAN, D/O.KUNJU LONAN,
ANATHURUTHE HOUSE, MAROTTICHODU BAGAM,
EDAPPALLY, KOCHI-24.**

BY ADV. SRI.N.K.MOHANLAL.

RESPONDENT/COMPLAINANT NO.1:

- 1. SUB INSPECTOR OF POLICE,
PERUMBAVOOR STATION, PERUMBAVOOR-683 542,
ERNAKULAM DISTRICT.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-31.**

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB.

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 30-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

Crl.MC.No. 4788 of 2015

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A1 COPY OF THE EXHIBIT OF THE PROCEEDING RECORD
OF THE A DIARY, DATED 07/07/2015.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ALEXANDER THOMAS, J.

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Crl.M.C.No.4788 of 2015

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Dated this the 30th 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:

“..... direct the HON'BLE Principal Sessions Court Ernakulam to consider and dispose the bail application that may be filed on the same day of filing it and release the petitioners on the same sureties already furnished earlier for releasing bail in setting aside the order dated 07/07/2015 cancelling the bail bond.”

2. Heard Sri.N.K.Mohanlal, 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 Principal Sessions Court, Ernakulam (dealing with S.C.No.463/2011) within two weeks from today, and submit 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/-
ALEXANDER THOMAS, JUDGE

sdk+
///True copy///

P.S. to Judge

