

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

Crl.MC.No. 4885 of 2015 ()

**LP.NO. 7/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I,
NORTH PARAVUR , ERNAKULAM DISTRICT**

PETITIONER/ACCUSED NO.2 IN CC:

**PAVAI KAMARAJ, AGED 54 YEARS,
S/O.HAMEED, MUNDAKKALTHAZHAM HOUSE,
VATTEKKUNNAM KARA,
THRIKKAKKARA NORTH VILLAGE.**

BY ADV. SMT.T.SUJA

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031**
- 2. SAJAN JOSEPH, S/O.JOSEPH,
CHERIYIL HOUSE, NEAR MATHA SCHOOL,
THRIKKAKKARA P.O., KOCHI - 682 021.**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 4885 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX A: COPY OF FIR IN CRIME NO.67/2002

ANNEX B: COPY OF CMP.1053 OF JFCM ,NORTH PARAVOOR

ANNEX C: COPY OF CHARGE SHEET

RESPONDENT(S)' ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

ALEXANDER THOMAS, J.

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Crl.M.C No.4885 of 2015

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Dated this the 3rd day of August, 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:

“.. to issue a direction that in the event of surrender before the learned Magistrate Court, North Paravaoor pursuant to the warrant issued in L.P No.7/2014 and he may be released on bail and thus render justice.”

2. Heard Sri.A.P Subhash, 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 Court, North Paravur (dealing with L.P No.7/2014), 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 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 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

