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. 4904 of 2015 ()

CRIME NO. 306/2015 OF CHAVARA POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED NO.6:

ACHU, AGED 28 YEARS,
S/O.RADHAKRISHNA PILLAI, PULIVILAYIL VEEDU,
PUTHUKADU, CHAVARA, KOLLAM DISTRICT.

BY ADVS.SRI.C.RAJENDRAN
SRI.K.R.RANJITH

RESPONDENT(S)/STATE/COMPLAINANT:

---

1. **STATE OF KERALA,**
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. **LOYED, AGED 22 YEARS,**
   S/O.LONACHAN, LOYAL NIVAS, PUTHUKKADU MURI,
   CHAVARA VILLAGE, KARUNAGAPALLI,
   KOLLAM DISTRICT.

R1 BY PUBLIC PROSECUTOR SRI.GITHESH.R

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. 4904 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX A1: A TRUE PHOTOCOPY OF THE FIR IN CRIME NO.306/2015 OF CHAVARA POLICE STATION

ANNEX A2: A TRUE NOTARIZED AFFIDAVIT SWORN BY THE DEFACTO COMPLAINANT DATED 27.05.2015

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

ALEXANDER THOMAS, J.

==========

Crl.M.C No.4904 of 2015

==========

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:

> "i). To consider the bail application of the petitioner in Crime No.306/2015 of the Chavara Police Station, Kollam District, on the very same date of filing the same in such a way to get the petitioner to enlarge on bail on the same date of surrender itself.
>
> ii). To grant such other reliefs this Hon'ble court may deem fit and proper to grant in the facts and circumstances of the case."

2. Heard Sri.C. Rajendran, 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, Chavara (dealing with Crime No.306/2015), within two weeks from today and submits necessary application for grant of bail, then the court below concerned shall

consider the application for bail 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 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 direction issued herein above will stand automatically 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