

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. 4919 of 2015 ()

CRIME NO. 259/2015 OF NOORANADU POLICE STATION , ALAPPUZHA

PETITIONER(S)/ACCUSED:

**MATHEW GEORGE, AGED 40 YEARS
S/O. GEORGE, ALUMUTIL THEKATHEL, KOMALOR MURI
CHUNAKKARA VILLAGE, MAVELIKKARA TALUK
ALAPPUZHA DISTRICT**

BY ADV. SRI.AJITH MURALI

RESPONDENT(S)/COMPLAINANT:

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

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:**

VS

ALEXANDER THOMAS, J.

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Crl.M.C.No.4919 of 2015

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Dated this the 3rd day of August, 2015

ORDER

The above captioned Crl.M.C. has been filed under Sec.482 of the Code of Criminal Procedure with the following prayers:

- “i) Issue a direction to the Judicial First Class Magistrate Court-II, Mavilikkara to consider the petitioner's bail application on the date of surrender itself and also release the petitioner on bail in the event of his surrender.
- ii) Issue such other order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. Heard Sri.Ajith Murali, 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-II, Mavelikkara, 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/-
ALEXANDER THOMAS
JUDGE

VS