

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Crl.MC.No. 4977 of 2015

CRIME NO.458/2015 OF MELUKAVU POLICE STATION

PETITIONER(S)/ACCUSED :

**THANKACHAN @ MATHEW GEORGE, AGED 49 YEARS,
S/O.GEORGE, OTTATHENGKAL HOUSE, MECHAL P.O.,
NELLAPPARA, MEENACHIL TALUK, KOTTAYAM DISTRICT.**

BY ADV. SRI.P.C.HARIDAS

RESPONDENT(S)/COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. DEPUTY SUPERINTENDENT OF POLICE,
PALA-686 575.**
- 3. SUB INSPECTOR OF POLICE,
MELUKAVU-686 586.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1:** TRUE COPY OF FIR NO.458/2015 OF MELUKAVU POLICE STATION.
- ANNEXURE A2:** TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE DIRECTOR OF MINES SAFETY AUTHORITY.
- ANNEXURE A3:** TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.9973/2015.
- ANNEXURE A4:** TRUE COPY OF THE ORDER DATED 09-07-2015 IN W.P.(C).NO.20467/2015.
- ANNEXURE A5:** TRUE COPY OF NOTICE DATED 14-07-2015 ISSUED FROM THE NAVAJYOTHI ENGLISH MEDIUM HIGH SCHOOL, MOONNILAVU.
- ANNEXURE A6:** TRUE COPY OF THE O.P.TICKET ISSUED TO THE PETITIONER FROM CITY HOSPITAL, ELAPPARA.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ALEXANDER THOMAS, J.

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Crl.M.C.No. 4977 of 2015

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Dated this the 7th day of August, 2015

O R D E R

The above captioned Criminal Miscellaneous Case has been filed with the prayer to direct the Judicial First Class Magistrate Court, Erattupetta, to consider and dispose of the bail application of the petitioner in the light of the decision of this Court in the case Shanu v. State of Kerala , reported in 2000 (3) KLT 452.

2. In the facts and circumstances of this case, it is ordered in the interest of justice that in the event of the petitioner appearing and surrendering on or before 21.08.2015 before the Judicial First Class Magistrate Court, Erattupetta and filing appropriate bail application on his behalf, then the above said learned Magistrate shall consider the said bail application 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. Needless to say, the learned Magistrate shall examine the merits of the matter raised in the aforementioned bail application of the petitioner. The petitioner is 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, 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 petitioner by the learned Magistrate as directed above, all further coercive action against the petitioner, if any, will be kept in abeyance.

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

Sd/- ALEXANDER THOMAS, JUDGE

MJL