

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. 5038 of 2015

**L.P.104/2007 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, TIRUR.
CRIME NO. 292/2004 OF TIRUR POLICE STATION, MALAPPURAM DISTRICT.**

PETITIONER/ACCUSED:

**BAIJU T.H, THAZHCHAYIL HOUSE,
THIRUMALABHAGOM P.O., CHERTHALA,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.B.PRAMOD

RESPONDENT/RESPONDENT:

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

BY PUBLIC PROSECUTOR SRI.GITHESH.R

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

mbr/

Crl.MC.No. 5038 of 2015

APPENDIX

PETITIONERS' ANNEXURES:

**ANNEXURE - I: TRUE COPY OF THE F.I.R.IN CRIME NO.292/2004 OF TIRUR
POLICE STATION, MALAPPURAM DISTRICT.**

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ALEXANDER THOMAS, J.

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Crl.M.C.No.5038 of 2015

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Dated this the 7th 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 prayer:

“.....to give a direction to the J.F.C.M. Court, Tirur to release the petitioner on bail, upon his appearance before the said court in L.P.No.104/2007.”

2. Heard Sri.B.Pramod, 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, Tirur (dealing with L.P.No.104/2007 in Crime No.292/2004 of Tirur Police Station), 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

MJL