

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

Crl.MC.No. 5132 of 2015

**CC 249/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PALA
CRIME NO.767/CR/KTM/EOW2 OF CBCID KOTTAYAM**

PEITIONER/ACCUSED NO.3:

**THAMBI JACOB, AGED 56 YEARS,
S/O K.C.CHACKO, PEEDIYAKKAL HOUSE,
KUNNAMANGALAM P.O.,
CALICUT.**

**BY ADVS.SRI.S.RAJEEV
SRI.ARUN.B.VARGHESE
SRI.JAYKAR.K.S.**

RESPONDENTS/STATE AND COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID KOTTAYAM.**

BY PUBLIC PROSECUTOR SRI.R.GITHESH

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 10-08-2015,
ALONG WITH CRLM.C.NO.5138/2015 AND CONNECTED CASES, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

ALEXANDER THOMAS, J.

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Crl.M.C Nos.5132, 5138, 5139, 5150, 5153, 5154, 5155, 5156,
5157, 5158, 5159, 5160, 5161, 5162, 5167, 5168, 5169, 5171,
5172, 5173, 5174, 5175, 5176, 5177, 5178, 5179, 5180, 5181,
5182, 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5197,
5198, 5199, 5200, 5201, 5203, 5204, 5205, 5206, 5207

5209 of 2015

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Dated this the 10th day of August, 2015

ORDER

These 48 Crl.M.Cs are filed by the same petitioner who is an accused (A3 in all the cases other than Crl.M.C No. 5174/15 and A2 in Crl.M.C 5174/15). In 48 similar crimes for offences under Sec.406 and 420 of the IPC, which are now pending as Calender Cases before the respective Jurisdictional Magistrate Court concerned, whose details are shown in the respective cause title of each of these Crl.M.Cs. The prayer of the petitioner in these petitions are for appropriate directions from this Court to the respective jurisdictional Magistrate Court concerned to consider his applications for recall of warrant and applications for grant of bail, that will be submitted by him on his appearance before the learned

Magistrate concerned, and it is prayed that the said applications shall be directed to consider on the same day itself on merits and pass appropriate order thereon, accordingly. In the light of this limited submission made by the learned counsel for the petitioner, it is ordered as follows:

In case the petitioner voluntarily appears before the Jurisdictional Magistrate concerned in each of these 48 cases within a period of 3 weeks from today and submit separate applications for recall of warrant and applications for grant of bail, then those applications shall be considered by the learned Magistrate concerned on the same day on which the petitioner appears and pass necessary orders in accordance with law, after considering its merits and in accordance with law and taking into the facts and circumstances of these cases. It is further ordered in the interest of justice, that the petitioner shall give advance copies of those applications to the respective Prosecutor concerned attached to the Jurisdictional Magistrate Court concerned at least 24 hours prior to such proposed appearance before the Magistrate Court concerned. It is further ordered that until orders are passed by the Jurisdictional Magistrate court concerned as directed above, coercive proceedings

that may be pending in pursuance of the execution of the impugned warrant, if any, shall be kept in abeyance. It is made clear that in case the petitioner does not surrender before the court below concerned within a period of three weeks as directed, above, then the direction issued herein above will stand automatically vacated.

With these observations and directions, the Crl.M.C stands finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE