IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

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

Crl.MC.No. 5133 of 2015

CRIME NO. 3015/2014 OF CHAVARA POLICE STATION , KOLLAM

PETITIONER(S)/ACCUSED :-

ARUN @ KICHU, AGED 23 YEARS,
S/O.AYYAPPAN, LEKSHAMVEEDU, PARIMANAM,
NEENDAKARA, KOLLAM DISTRICT, PIN 691 582.

BY ADVS.SRI.C.S.MANU
SRI.S.K.PREMRAJ

RESPONDENT(S)/COMPLAINANT & THE INVESTIGATING OFFICER :-

1. **STATE OF KERALA,**
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.

2. **SUB INSPECTOR OF POLICE, CHAVARA POLICE STATION,**
   KOLLAM DISTRICT,
   PIN - 691 583 (NOTICE TO THE RESPONDENTS MAY BE SERVED
   ON THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.)

R1 BY SMT.V.H.JASMINE, PUBLIC PROSECUTOR

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

rkj

Crl.MC.No. 5133 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES :-

ANNEXURE A1- TRUE COPY OF THE JUDGMENT IN SUKHWANT SINGH VS. STATE OF PUNJAB REPORTED IN (2009) 7 SCC 559.

ANNEXURE A2- TRUE COPY OF THE JUDGMENT IN MUKESH KISHANPURIA VS. STATE OF WEST BENGAL REPORTED IN 2010(5) SCR 702.

RESPONDENT(S)' ANNEXURES :- NIL

//TRUE COPY//

P.A. TO JUDGE

rkj

P.UBAID, J.

==========

Crl.M.C.No.5133 of 2015

==========

Dated this the 7th day of August, 2015

ORDER

The petitioner herein is the accused in Crime No.3015 of 2014 of the Chavara Police Station, Kollam. On the apprehension of remand to judicial custody on surrender before the learned Magistrate during investigation, he seeks a direction under Section 482 of the Code of Criminal Procedure to the Court below to consider his bail application for bail on the date of surrender itself. It is for the learned Magistrate to decide whether bail could be granted to the petitioner. The petitioner will have to surrender before the learned Magistrate, and make application for bail. Anyway, let appropriate decision regarding bail be taken by the learned Magistrate. However, a direction can be made to consider and dispose of the application for bail on the date of surrender itself.

In the result, this petition is closed with direction to the court below that in case the petitioner makes application for bail on surrender in Crime No.3015 of 2014 of the Chavara Police Station,

Kollam, the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side.

Sd/-
P.UBAID
JUDGE

rkj

//TRUE COPY//

P.A. TO JUDGE