

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

Crl.MC.No. 5517 of 2015

CRIME NO. 803/2015 OF TALIPARAMBA POLICE STATION, KANNUR
.....

PETITIONER(S)/ACCUSED:

**KIZHAKKEDATH VADAKKEPURAYIL AFSAL, AGED 21 YEARS,
S/O.ABDURAHIMAN, K.V.HOUSE, THAVALAPPARA,
NANISSERY P.O., PARASSANIKKADAVU, KANNUR.**

**BY ADVS.SMT.K.DEEPA (PAYYANUR)
SRI.V.R.NASAR**

RESPONDENT(S)/COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-31.**
- 2. THE STATION HOUSE OFFICER,
TALIPARAMBA POLICE STATION, KANNUR.**

BY PUBLIC PROSECUTOR SMT.P.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
19-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

ALEXANDER THOMAS, J.

Crl.M.C.No.5517 Of 2015

Dated this the 19th day of August, 2015.

ORDER

This Criminal M.C. has been instituted under Section 482 of the Code of Criminal Procedure seeking the invocation of the inherent powers conferred on this Court with the following prayer.

“.....to issue direction to release the petitioner on bail on the same day of the filing of the bail application in Crime No.803/15 of Taliparamba Police Station, Kannur.”

2. Heard Smt.K.Deepa, the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondents.

3. After hearing both sides and taking into consideration the totality of the facts and circumstances of the case, it is ordered in the interest of justice that in case the petitioner voluntarily surrenders before the jurisdictional Magistrate concerned dealing with Crime No.803/2015 of Taliparamba Police Station, within a period of two weeks from today and makes necessary application for grant of bail in the pending crime (Crime No.803/2015 of Taliparamba Police Station) then the jurisdictional Magistrate

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concerned is directed to consider such application on the same day of surrender itself, in accordance with law, after taking into consideration the relevant aspects of the case. It is also ordered that the petitioner shall give advance notice to the prosecutor concerned appearing before the Magistrate Court concerned, on the above said application and notifying the exact date and time of surrender before the said Court, at least 24 hours prior to such proposed surrender. It is further made clear that in case the petitioner does not surrender before the jurisdictional Magistrate concerned, within a period of two weeks from today, the aforementioned directions 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 this Crl.M.C. stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-