

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Crl.MC.No. 5688 of 2015

CRIME NO. 467/2015 OF PANDALAM POLICE STATION, PATHANAMTHITTA DISTRICT.
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PETITIONER(S)/ACCUSED 1:

**K.CHANDRAN PILLAI, AGED 43 YEARS,
S/O. KUNJIRAMAN NAIR, THACHIRATHU,
CHANDRAGIRI, ELAVUMTHITTA P.O.,
MEZHUVELI VILLAGE, PATHANAMTHITTA DISTRICT.**

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

RESPONDENT(S)/COMPLAINANT AND THE INVESTIGATING OFFICER:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
PANDALAM POLICE STATION,
PATHANAMTHITTA DISTRICT.
(NOTICE TO WHOM MAY BE SERVED ON
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.)**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE 1:** TRUE COPY OF THE ORDER DT.12-6-2015 IN BA 3105/2015
PASSED BY THIS HON'BLE COURT.
- ANNEXURE 2:** TRUE COPY OF THE JUDGMENT IN SUKHWANT SINGH
VS.STATE OF PUNJAB REPORTED IN (2009) 7 SCC 559.
- ANNEXURE 3:** TRUE COPY OF THE JUDGMENT IN MUKESH KISHANPURIA
VS.STATE OF WEST BENGAL REPORTED IN 2010(5) SCR 702.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ALEXANDER THOMAS, J.

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Crl.M.C No.5688 of 2015

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Dated this the 20th 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 prayers:

- “i. Direct the Judicial First Class Magistrate's Court, Adoor Thrissur District, to consider either the application for regular bail or the application for interim bail on the date of filing the application itself by the petitioner in Crime No.467 of 2015 on the files of Pandalam Police station, Pathanamthitta District.
- ii. Grant two weeks time to the petitioner to surrender before the Judicial First Class Magistrate's Court, Adoor in Crime No.467 of 2015 on the files of Pandalam Police Station, Pathanamthitta District or before the investigating officer in the said crime and to apply for bail.
- iii. Grant such other relief as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.”

2. Heard Sri.C.S.Manu, 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's Court, Adoor (dealing with Crime No.467 of

2015), within three 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 three 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/-

sab

ALEXANDER THOMAS, JUDGE

