

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

Cr1.MC.No. 5825 of 2015

CRIME NO. 996/2015 OF EAST KALLADA POLICE STATION , KOLLAM

PETITIONER/ACCUSED:

DEEPU @ SANTHOSH, AGED 31 YEARS,
S/O.SIVAL PILLAI,
SANTHOSH BHAVAN,
KIZHAKKE KALLADA,
KOLLAM DISTRICT.

BY ADV. SRI.P.V.DILEEP

RESPONDENT/COMPLAINANT:

1. THE SUB INSPECTOR OF POLICE,
EAST KALLADA POLICE STATION,
KOLLAM DISTRICT - 691 605.
2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.V.H JASMINE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

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P.UBAID, J.

Crl.M.C No.5825 of 2015

Dated this the 21st day of August, 2015

O R D E R

The petitioner herein is the accused in Crime No.996/2015 of the East Kallada Police Station, registered under Section 354 of the Indian Penal code. An application filed by him for pre-arrest bail stands dismissed. Now he wants surrender before the learned Magistrate, having jurisdiction. But he apprehends that he will be remanded to judicial custody. He seeks a direction from this Court to the court below to consider his application for bail, on surrender, without any delay. Of course in the given situation he will have to surrender, if he so opts. The learned Magistrate will examine the complaint and see whether this is in fact a case under Section 354 of IPC or only a case of assault on a woman. Anyway, let appropriate decision be taken by the learned Magistrate.

In the result, this petition is disposed of, with direction to the court below that in case the petitioner makes application for bail, on surrender, in Crime No.996/2015 of the East Kallada Police Station, the same shall be judiciously considered and decided, on the date of filing itself.

**Sd/-
P.UBAID
JUDGE**

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