

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

Crl.MC.No. 6160 of 2015 ()

**CP 71/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT, KAYAMKULAM
CRIME NO. 155/2013 OF KAYAMKULAM POLICE STATION , ALAPPUZHA DISTRICT**

PETITIONER/3RD ACCUSED:

**LIJU OMMEN, AGED 38 YEARS
S/O. OOMMEN, EBENAZER PUTHEN VEEDU
PUNNAMOOD, MAVELIKKARA**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM**

BY PUBLIC PROSECUTOR SRI. JUSTIN JACOB

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 15-09-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

CRL.M.C.6160/2015

APPENDIX

PETITIONER'S EXHIBITS

ANNEXURE-1 COPY OF THE MEDICAL RECORDS

RESPONDENT'S EXHIBITS

NIL

TRUE COPY

P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.6160 of 2015

Dated this the 15th day of September, 2015

O R D E R

The petitioner herein is the 3rd accused in C.P. No.71/2015 of the Judicial First Class Magistrate Court-I, Kayamkulam. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to decide and dispose of his application for bail, without delay. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. The petitioner will have to surrender before the learned Magistrate and make application for bail. He will have to explain the reason for his absence in court. 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 disposed of with direction to the

court below that in case the petitioner makes application for bail on surrender in C.P. No.71/2015 of the Judicial First Class Magistrate Court-I, Kayamkulam, 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

sd