

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Crl.MC.No. 6432 of 2015 (I)

**C.C.No. 770/2008 OF J.M.F.C.,WADAKKANCHERRY
CRIME NO. 225/2008 OF CHELAKKARA POLICE STATION , TRISSUR**

PETITIONER:

**HAMSA, AGED 41 YEARS,
S/O. MUHAMMED HANEEFA, PARANKIMAMVILA HOUSE,
IIAMPAZHANOOR. P.O., KOTTARAKKARA,
KOLLAM DISTRICT.**

**BY ADVS. SRI. SANTHOSH P. PODUVAL
SMT. R. RAJITHA
SMT. VINAYA V.NAIR**

RESPONDENT:

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

BY PUBLIC PROSECUTOR SRI. JUSTIN JACOB.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

P.UBAID, J.

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Crl.M.C.No.6432 of 2015
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Dated this the 30th day of September, 2015

ORDER

The petitioner herein is the accused in C.C.No.770 of 2008 (LPR 58/12) of Judicial First Class Magistrate Court, Wadakkancherry. On the apprehension of arrest, and remand to judicial custody in execution of a warrant of arrest issued from the trial court he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider and decide 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 trial court, 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 disposed of, with direction to the court below that in case the petitioner makes application for bail on surrender in C.C.No.770 of 2008(LPR 58/12), 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

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P.A. TO JUDGE