

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Crl.MC.No. 6581 of 2015 ()

FIR NO. 1256/2015 OF PARAVOOR POLICE STATION, KOLLAM DISTRICT.

.....

PETITIONERS/ACCUSED NOS.1 & 2:

**1. RAHUL C.BABU, AGED 25 YEARS,
S/O.CHANDRA BABU, THILAKABHAVANAM,
PARAVOOR, KOLLAM.**

**2. SREELATHA, AGED 50 YEARS,
W/O.SASI, "SIVAPRIYA", MALAKAYAL,
NEDUNGOLAM, PARAVOOR, KOLLAM.**

**BY ADVS.SRI.VIPIN NARAYAN,
SRI.V.C.SARATH.**

RESPONDENT/RESPONDENT:

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

BY PUBLIC PROSECUTOR SMT.P. MAYA.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A COPY OF THE FIR IN CRIME NO.1256/2015 OF PARAVOOR
POLICE STATION, KOLLAM DISTRICT.**

**ANNEXURE B COPY OF THE FIR IN CRIME NO.1211/2015 OF PARAVOOR
POLICE STATION, KOLLAM DISTRICT.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
Crl.M.C. No.6581 of 2015
.....

Dated this the 8th day of October, 2015

ORDER

~ ~ ~ ~ ~

Petitioners are A1 and A2 in Crime No.1256/2015 of Paravoor Police Station registered for the offences punishable under Sections 294(b), 341 and 323 IPC and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The court below shall take note of the fact that the Judicial First Class Magistrates are not powerless to grant bail in offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, even though the same are triable by the special court, which is a Sessions Court. {See ***Ali Vs. State of Kerala*** [2000 (2) KLT 280] and ***Shanu Vs. State of Kerala*** [2000 (3) KLT 452]}.

In the result, this Crl.M.C. is disposed of with a direction to the court below to dispose of the application

seeking bail that may be filed by the petitioners on their surrender, on the date of filing itself by relying of the decisions noted *supra*, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/08/10

// True Copy //

PA to Judge