

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

Cr1.MC.No. 6677 of 2015 ()

CMP 324/2015 of JUDICIAL FIRST CLASS MAGISTRATE'S COURT,
MALAPPURAM
CRIME NO. 596/2014 OF VAZHAKKAD POLICE STATION, MALAPPURAM

PETITIONER:

AFSAL, AGED 35 YEARS,
S/O.MUHAMMEDALI, PERUNNAMKUNNATH HOUSE, KARASSERY,
MUKKAM, MALAPPURAM DISTRICT.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
VAZHAKKAD POLICE STATION, MALAPPURAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM 682 031.

BY PUBLIC PROSECUTOR SMT.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Crl.MC.No. 6677 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE AI. COPY OF THE ORDER DATED 12.3.15 IN CRL.M.P.
324/15 IN VAZHAKKAD POLICE STATION IN CRIME NO.596 OF 2014 ON
THE FILES OF THE HONOURABLE JUDICIAL FIRST CLASS MAGISTRATE
COURT, MALAPPURAM.

RESPONDENT'S ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/17/10/15

B.KEMAL PASHA, J.

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Crl.M.C. No. 6677 of 2015

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Dated this the 13th day of October, 2015

ORDER

Heard the learned counsel for the petitioner.

2. Condition No.3 in Annexure-AI order passed by the court below is under challenge. It seems that the court below has ordered security by way of bank guarantee. The court below ought to have granted an option to the petitioner to offer the property also as security instead of bank guarantee. By giving such an opportunity to the petitioner, Condition No.3 in Annexure-AI order is liable to be modified.

In the result, this Crl.M.C. is allowed and Condition No.3 in Annexure-AI is modified, by enabling the petitioner to offer property also as security for an amount of ₹1,16,000/- instead of bank guarantee.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/13/10/15

// True Copy //

P.A. To Judge