

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

CrI.MC.No. 6918 of 2015 ()

**CMP.NO. 8860/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, TALIPARAMBA
CRIME NO. 1171/2015 OF TALIPARAMBA POLICE STATION,KANNUR DISTRICT**

PETITIONER/ACCUSED NO.3:

**M.RAHUL, S/O RAVEENDRAN, AGED 27 YEARS,
PUTHIYONNAN HOUSE, MORAZHA P.O.,
KANNUR DT.**

**BY ADVS.SRI.P.NARAYANAN
SRI.NICHOLAS JOSEPH**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
THROUGH STATION HOUSE OFFICER,
TALIPARAMBA POLICE STATION,
REP BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 6918 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEX 1: COPY OF THE ORDER IN B.A.4146/2015 DATED 30.7.2015.**
- ANNEX 2: COPY OF THE VISA ISSUED BY THE MINISTRY OF INTERIOR, UNITED ARAB EMIRATES.**
- ANNEX 3: COPY OF THE PETITION AND THE AFFIDAVIT IN C.M.P.8860/2015 DATED 3.10.2015 FILED BEFORE THE JFCM TALIPARAMBA.**
- ANNEX 4: COPY OF THE ORDER DATED 12.10.2015 IN CMP.8860/2015 OFD THE JFCM, TALIPARAMBA.**

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B.KEMAL PASHA, J.

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Crl.M.C.No.6918 of 2015

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Dated this the 2nd day of November, 2015

ORDER

The petitioner is the 3rd accused in Crime No.1171 of 2015 of the Taliparamba Police Station registered for the offences punishable under Sections 341, 323, 324 and 326 read with Section 34 IPC, which is still pending investigation.

2. As per orders of this Court, while granting anticipatory bail to the petitioner, the petitioner has surrendered his passport before the court below on 06.10.2015. The petitioner has to join his job abroad on or before 06.11.2015.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. No criminal antecedents have been reported against the petitioner. The learned counsel for the petitioner submits that the petitioner is not involved in any other crime and he will be available for the trial as and when his presence is required.

There is no chance for the trial of the matter in the nearest future. Matters being so, it is just and proper in the interest of justice to release the passport of the petitioner after keeping the attested copy of the passport among the records of the case before the court below.

5. In the result, this Crl.M.C. is allowed, and the court below is directed to release the passport of the petitioner forthwith after keeping the attested copy of the passport among the records of the case before the court below. The petitioner shall file an affidavit before the court below affirming that he will be available for the trial of the case as and when called upon.

Issue copy today itself.

**B.KEMAL PASHA
JUDGE**

DSV/2/11/15