

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

CrI.MC.No. 6996 of 2015 ()

**CC 1324/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT, ETTUMANOOR
CRIME NO. 446/2015 OF KIDANGOOR POLICE STATION , KOTTAYAM DISTRICT**
=====

PETITIONER/4TH ACCUSED:

**LIBI ABRAHAM, S/O. M.C. ABRAHAM
AGED 45 YEARS, MOOZHAYIL HOUSE
KIZHATHADIYOOR KARA, LALAM VILLAGE**

BY ADV. SRI.P.C.HARIDAS

RESPONDENTS/COMPLAINANT-STATE:

- 1. STATE OF KERALA REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF
KERALA AT ERNAKULAM-682031**
- 2. THE SUB INSPECTOR OF POLICE, KIDANGOOR
POLICE STATION, KIDANGOOR
KOTTAYAM DISTRICT - 686572**

BY PUBLIC PROSECUTOR SRI. JUSTIN JACOB

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 30-10-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

CRL.M.C.NO.6996/2015

APPENDIX

PETITIONER'S EXHIBITS

ANNEXURE A1	COPY OF THE FIR NO.446/2015 OF THE KIDANGOOR POLICE STATION
ANNEXURE A2	STATEMENT AND ADDITIONAL STATEMENT OF CW1
ANNEXURE A3	COPY OF THE FINAL REPORT IN CRIME NO.446/2015

RESPONDENTS' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.6996 of 2015

Dated this the 30th day of October, 2015

O R D E R

The petitioner herein is the 4th accused in C.C.No.1324/2015 of the Judicial First Class Magistrate Court, Ettumannoor. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued by the learned Magistrate, 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. It is for the learned Magistrate to decide whether bail could be granted to the petitioner. 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.C.No.1324/2015, 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

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P.A. to Judge