

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Cr1.MC.No. 7107 of 2015

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IN S.C NO.404/2009 SESSIONS COURT, THRISSUR

CRIME NO.431/2007 OF MALA POLICE STATION, THRISSUR

PETITIONER/2ND ACCUSED:

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THOMAS, S/O.CHAKKU, AGED 34 YEARS  
KALLINGAL HOUSE,  
GURUTHIPALA, ANNALLUR,  
THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)  
SMT.P.R.REENA

RESPONDENTS/STATE & COMPLAINANT:

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1. STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, PIN-682031.
  2. DEPUTY SUPERINTENDENT OF POLICE,  
IRINJALAKUDA, THRISSUR DISTRICT,  
PIN - 680 121.

BY PUBLIC PROSECUTOR SMT.SHEEBA M.T

THIS CRIMINAL MISC. CASE HAVING COME UP FOR  
ADMISSION ON 13-11-2015, THE COURT ON THE SAME DAY  
PASSED THE FOLLOWING:

Cr1.MC.No. 7107 of 2015

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APPENDIX

PETITIONER'S ANNEXURES

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ANNX.I - TRUE COPY OF FINAL REPORT IN CR.NO.431/2007 OF  
MALA POLICE STATION, THRISSUR

RESPONDENTS' ANNEXURES:

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NIL

//TRUE COPY//

P.A TO JUDGE

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**P.UBAID, J.**

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**Crl.M.C No.7107 of 2015**  
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Dated this the 13<sup>th</sup> day of November, 2015

**O R D E R**

The petitioner herein is the second accused in S.C No.404/2009 of the Sessions Court, Thrissur. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the court below he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to consider and dispose of his application for bail, on the date of surrender itself. The learned Sessions Judge, who has issued warrant of arrest for proper reasons, will have to consider the request for bail. It is for the learned Sessions Judge to decide whether bail could be granted to the petitioner. The petitioner will have to surrender before the learned Sessions Judge 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 Sessions Judge. 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 closed with direction to the court below that in case the petitioner makes application for bail on surrender in S.C No.404/2009 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**

//True Copy//

P.A to Judge

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