

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Crl.MC.No. 7232 of 2015 ()

CC 279/2013 of CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM

PETITIONER/ACCUSED IN CC :

**KALESH M.S. AGED 36 YEARS,
S/O. SUBRAMANIAN, MULLAPRAMBU HOUSE, AYYAPPAN KAVU,
NOW RESIDING AT MATTUPURATH HOUSE, KARMAL LANE
PACHALAM, KOCHI 12.**

BY ADV. SMT.T.SUJA

RESPONDENT/COMPLAINANT :

**KERALA STATE
REPRESENTED 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 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 7232 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE 1. COPY OF THE PROCEEDING SHEET IN CC 279/13 ON THE FILE
CJM COURT, ERNAKULAM.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B. KEMAL PASHA, J.

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Crl.M.C. No.7232 of 2015 C
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Dated this the 25th day of November, 2015

O R D E R

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Heard.

2. It seems that on the date on which the case stand posted for framing charge, the accused was absent. The court below has ordered non-bailable warrant against the petitioner. Along with that, it seems that the court below has ordered steps under Sections 82 and 83 Cr.P.C. and notice to the sureties. The court below could have ordered non-bailable warrant. At the same time, there was no reason for initiating steps under Sections 82 and 83 Cr.P.C. at that time.

3. The court below shall dispose of the application seeking bail that may be filed by the petitioner on his

surrender before the court below within 10 days from today, on the date of filing itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/25/11

// True Copy //

PA to Judge