

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

Cr1.MC.No. 7686 of 2015 ()

AGAINST THE ORDER IN CP 54/2015 of J.M.F.C., THIRUVALLA
CRIME NO. 2558/2015 OF THIRUVALLA POLICE STATION , PATHANAMTITTA

PETITIONER(S)/ACCUSED NO.2:

RAJAN P.R. AGED 48 YEARS
S/O.SARASAMMA, KEEZHMAANCHERIYIL PADINJATTETHIL
PADINJATTUSSERY, KAVIYOOR P.O., THIRUVALLA.

BY ADV. SRI.S.DHEERENDRAKUMAR

RESPONDENT(S):

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULA, PIN-682 031.

BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
09-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 7686 of 2015 ()

APPENDIX

PETITIONER(S) ' EXHIBITS

ANNEXURE-A. A TRUE COPY OF THE ORDER DATED 20/11/2015 OF THE
 HONOURABLE HIGH COURT OF KERALA IN BA NO.6942/2015.

ANNEXURE-B. A TRUE COPY OF THE INFORMATION FURNISHED BY THE
 JFCMC, THIRUVALLA DATED 24/11/2015.

RESPONDENT(S) ' EXHIBITS NIL

//TRUE COPY//

P.A TO JUDGE

vdv

P.UBAID, J.

=====
Crl. M.C No.7686 of 2015
=====

Dated this the 9th day of December, 2015

ORDER

The petitioner herein is the second accused in C.P No.54/2015 of the Judicial First Class Magistrate Court, Thiruvalla. He apprehended remand to judicial custody in case he surrendered before the learned Magistrate. It is not known whether there is any warrant of arrest against him from the court. What he seeks in this proceeding is a direction to the court below to consider and dispose of his application for regular bail on the date of filing itself, on surrender. I find that such a direction is not necessary in this case. Annexure A order shows that the petitioner had earlier approached this Court under Section 438 of the Code of Criminal Procedure. In the said proceeding this Court observed that the petitioner can very well approach the appropriate court and move for regular bail. Such an observation was made when the learned Public Prosecutor submitted that the police has submitted final report in the crime. Now the matter is pending before the committal court as C.P No.54/2015. It is not known how or why the petitioner apprehends remand to judicial custody. Anyway this Court has already observed

in the order dated 20.11.2015 in B.A No.6942/2015 that the petitioner can very well approach the learned Magistrate and make application for regular bail. When such a direction is already there, a further direction is not necessary. This Crl.M.C is accordingly closed.

Sd/-
P.UBAID, JUDGE

vdv