

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA,
1937

Cr1.MC.No. 7913 of 2015

IN C.C 64/2011 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT, THIRUVALLA

PETITIONER/ACCUSED:

VASUDEVAN NAIR, AGED 64 YEARS,
S/O.PARAMESWARAN NAIR,
SREE VILASAM HOUSE,
THALAYAR, KUTTOOR VILLAGE.

BY ADV. SRI.T.P.PRADEEP

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM

BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR
ADMISSION ON 18-12-2015, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

ab

P.UBAID, J.

Crl.M.C No.7913 of 2015

Dated this the 18th day of December, 2015

O R D E R

The petitioner herein is the sole accused in C.C No.64/2011 of the Judicial First Class Magistrate Court, Thiruvalla. 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 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 closed with direction to the court below that in case the petitioner makes application for bail on surrender in C.C No.64/2011 the same shall be judiciously considered and decided, on the date of surrender itself, however, with notice to the other side. The petitioner is granted fifteen days time to surrender before the learned Magistrate. In the meantime, execution of the warrant of arrest will stand suspended.

**P.UBAID
JUDGE**

ab