

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Crl.MC.No. 7933 of 2015 ()

**SC 462/2015 of ADDITIONAL DISTRICT & SESSIONS COURT (VIOLENCE AGAINST
WOMEN & CHILDREN, ERNAKULAM**

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PETITIONERS/ACCUSED:

**JAYASREE, W/O.SATYAN, THANATHUVARYAM HOUSE
PALLARIMANGALAM PO, POTHANIKADU.**

**BY ADVS.SRI.R.PREM SANKAR
SRI.B.PREMOD
SRI.SUDHEER GANESH KUMAR.R.**

RESPONDENT/DEFACTO COMPLAINANT/DEJURE COMPLAINANT:

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA.**
- 2. THE CIRCLE INSPECTOR OF POLICE, KOTHAMANGALAM
POLICE STATION, PIN-686 691.**
- 3. THE SUB INSPECTOR OF POLICE
KOTHAMANGALAM POLICE STATION, PIN-686 691.**

BY PUBLIC PROSECUTOR SMT. SHEEBA M.T.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 21-12-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 7933 of 2015 ()

APPENDIX

PETITIONER'S EXHIBITS

**ANNEXURE I : THE TRUE COPY OF THE CHARGE SHEET SUBMITTED BY THE SUB
INSPECTOR OF POLICE, KOTHAMANGALAM DT 12-9-2014.**

RESPONDENTS' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.7933 of 2015

Dated this the 21st day of December, 2015

O R D E R

The petitioner herein is the accused in S.C. No.465/2015 of the Additional District and Sessions Court (for the trial of cases relating to atrocities and sexual violence against women and children), Ernakulam. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial court she seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to recall the warrant. The learned trial Judge, who has issued warrant of arrest for proper reasons, will have to consider the request to recall the warrant. It is for the trial court to decide whether bail could be granted to the petitioner. The petitioner will have to surrender before the trial court and make application for bail. She will have to explain the reason for her absence in court. Anyway, let appropriate decision regarding bail be taken by the learned trial 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 disposed of, with direction to the court below that in case the petitioner makes application for bail on surrender in S.C. No.465/2015, the same shall be judiciously considered and decided, on the date of surrender itself.

Sd/-

P. UBAID, JUDGE

sd

// True Copy //

P.A. to Judge