

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 29TH DAY OF DECEMBER 2015/8TH POUSHA, 1937

Crl.MC.No. 8096 of 2015 ()

**CP 82/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT, CHALAKUDY
CRIME NO. 513/2013 OF CHALAKKUDY POLICE STATION, TRISSUR DISTRICT**

PETITIONER/ACCUSED:

**DENNY, AGED 36 YEARS
S/O.DAVIS, KANNAMPUZHA HOUSE
ELINJIPRA P.O., ELINJIPRA, THRISSUR DISTRICT.**

BY ADV. SRI.A.C.DEVY

RESPONDENT/COMPLAINANT:

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT. MADHUBEN

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 29-12-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

SD

P. UBAID, J.

Crl.M.C.No.8096 of 2015

Dated this the 29th day of December, 2015

O R D E R

The petitioner herein is the accused in LPR No.26/2015 in C.P.82/14 of the Judicial First Class Magistrate Court, Chalakkudy. On the apprehension of arrest and remand to judicial custody in execution of a warrant of arrest issued from the trial court he seeks orders from this Court under Section 482 of the Code of Criminal Procedure directing the court below to release him on bail, or to decide and dispose of his application for bail, without delay. The learned Magistrate, who has issued warrant of arrest for proper reasons, will have to consider the application 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 trial court 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 disposed of, with direction to the

court below that in case the petitioner makes application for bail on surrender in LPR No.26/2015 in C.P.82/14, the same shall be judiciously considered and decided, on the date of surrender itself.

Sd/-
P. UBAID, JUDGE

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// True Copy // P.A. to Judge