

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

OP(Crl.).No. 344 of 2015 (Q)

IN CC 621/2010 of J.M.F.C., KARUNAGAPPALLY

PETITIONER(S):

**SHAFEEK, AGED 38,
S/o.ABOOBAKER KUNJU,
RESIDING AT KOPRAPURAYIL VEEDU,
KEERIKKADU VILLAGE,
KARTHIKAPPALLY TALUK,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.A.SHAFEEK (KAYAMKULAM)

RESPONDENT(S):

**STATE OF KERALA REPRESENTED BY SUB INSPECTOR OF POLICE,
KARUNAGAPPALLY POLICE STATION, KOLLAM DISTRICT THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 19-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

STK

P.D. RAJAN, J.

O.P. (Crl.) No.344 of 2015

Dated this the 19th day of October, 2015

ORDER

The petitioner is the accused in C.C.621/2010 of the Judicial First Class Magistrate, Karunagappally for the offence under Section 3 & 7 of the Essential Commodities Act. He was enlarged on bail as per order in B.A.7596/2009 and surrendered before the investigating officer and thereafter he was enlarged on bail.

2. During trial, case was posted for several days i.e., 2.12.13, 11.12.13, 4.2.14, 1.4.14, 9.5.14, 18.6.14, 1.9.14, 22.11.14, 10.2.15, 4.5.15, and 28.7.15. On 4.5.2014 accused absent, no representation and no witness present. The bail bond of the accused cancelled and issued Non-bailable Warrant and thereafter issued notice to sureties. Subsequently, on 28.07.15, accused was present, subsequently, he was found absent and in the circumstance, non-bailable warrant was issued. In the circumstance, petitioner approached this court with this petition under Article 227 of the Constitution of India.

The learned counsel appearing for the petitioner

contended that he is ready to co-operate with the trial. The learned Public Prosecutor has no objection in considering the direction under Article 227 of the Constitution of India. Hence, I am satisfied with the reasons stated in the affidavit and this Original Petition is disposed according to the following directions.

(a)Petitioner is directed to surrender in the Judicial First Class Magistrate, Karunagappally on 27.10.2015.

(b)On such surrender, he shall enlarge the petitioner on bail on condition of executing a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the Judicial First Class Magistrate and impose such other conditions.

(c)He shall also take coercive steps against CW1 and CW2 and expedite trial and dispose the matter at the earliest.

STK

**P.D. RAJAN,
JUDGE**