

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 7TH DAY OF MARCH 2024 / 17TH PHALGUNA, 1945

CRL.MC NO. 2200 OF 2024

**CRIME NO.3/2010 OF RAILWAY POLICE STATION, KOTTAYAM, Kottayam
AGAINST THE ORDER/JUDGMENT DATED IN LP NO.1 OF 2014 OF CHIEF
JUDICIAL MAGISTRATE ,KOTTAYAM**

PETITIONER/S:

**KIRAN S KUMAR
AGED 45 YEARS
S/O B. SASIKUMAR, V.B. SKY VIEW 402, KUTTILAKKARA ROAD,
MATTOOR, PIRAROOR P.O., KALADY, ERNAKULAM, KERALA, PIN
- 683574
BY ADVS.
HAMZATH ALI V.K.
P.ANTO THOMAS**

RESPONDENT/S:

- 1 THE INSPECTOR - RAILWAY PROTECTION FORCE KOTTAYAM
NAGAMPADAM, KOTTAYAM, KERALA, PIN - 686002**
- 2 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
PIN - 682031**

OTHER PRESENT:

SMT. SREEJA V. (PP)

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
07.03.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

BECHU KURIAN THOMAS, J.

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Crl.M.C.No.2200 of 2024

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Dated this the 7th day of March, 2024

ORDER

Petitioner is the accused in Crime No.3/2010 of the Railway Police Station, Kottayam District, which is now pending as L.P.No.1/2014 in C.C.No.43/2013 on the files of the Chief Judicial Magistrate Court, Kottayam. The proceedings against the petitioner was initially pending as C.C.No.66/2010 and since the petitioner absconded, the case was split up and refiled as C.C.No.43/2013. Thereafter also petitioner absconded and the case was transferred to the long pending register. Due to the continuous evasion from participating in the proceedings a non bailable warrant has been issued and the petitioner, though willing to appear before the Court, apprehends that he may be remanded to custody.

3. Having heard the learned Counsel for the petitioner and the learned Public Prosecutor, I am of the view that this Crl.M.C. can be disposed of with a direction.

4. Since the petitioner has expressed his willingness to participate in the trial, there will be a direction to the Chief Judicial Magistrate Court, Kottayam, to consider the applications for recall of warrant and for grant of bail, if any, filed by the petitioner, on the same day itself, provided such

applications are filed within 15 days from today. To enable the petitioner to appear before the Magistrate as directed, the non-bailable warrant issued against the petitioner shall be kept in abeyance for a period of 15 days from today.

The Crl.M.C. is disposed of accordingly.

sd/

**BECHU KURIAN THOMAS
JUDGE**

jm/

APPENDIX OF CRL.MC 2200/2024

PETITIONER ANNEXURES

Annexure A1	A TRUE COPY OF THE OCCURRENCE REPORT DATED 31/07/2010 FILED BY THE 1ST RESPONDENT BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM
Annexure A2	A TRUE COPY OF THE BAIL BOND EXECUTED BY THE PETITIONER IN KOTTAYAM RAILWAY PROTECTION FORCE CRIME NO. 3/10
Annexure A3	A TRUE COPY OF THE CASE PROCEEDINGS DATED 25.03.2013, OF THE CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM IN CC 66/2010
Annexure A4	A TRUE COPY OF THE CASE PROCEEDINGS DATED 11.04.2014, OF THE CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM IN CC 43/2013