



2025:KER:32255

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

CRL.MC NO. 3718 OF 2025

LP NO.18 OF 2020 OF JUDL. MAGI. OF FIRST CLASS-III, KOTTAYAM

PETITIONER/ACCUSED:

SHIJU MATHEW
AGED 50 YEARS
MOOZHILKUZHIYIL HOUSE, PULIKATHOTTI PO,
ANAKUZHI IDUKKI, PIN - 685607.

BY ADVS.
S.RAJEEV
V.VINAY
M.S.ANEER
SARATH K.P.
ANILKUMAR C.R.
K.S.KIRAN KRISHNAN
DIPA V.
AKASH CHERIAN THOMAS

RESPONDENT/STATE:

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

SMT.PUSHPALATHA M.K, SR.PP

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
11.04.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**ORDER**

Petitioner is the accused in S.T No.1530 of 2017 pending on the files of the Judicial First Class Magistrate Court-III, Kottayam. The case originated from a complaint filed against the petitioner alleging commission of the offence under Section 138 of the Negotiable Instruments Act. The petitioner appeared in court on receipt of summons and was enlarged on bail. Petitioner's failure to appear thereafter resulted in inclusion of the case in the Long Pending Register and initiation of coercive measures against him. This Crl.M.C is filed seeking permission to surrender and for a direction to the court below to consider petitioner's bail application on the day of surrender itself.

2. Learned counsel for the petitioner submits that his client had been appearing before the trial court, but for financial reasons, he had to leave the State. It is submitted that, even though petitioner is desirous of surrendering in



court, he is apprehensive that the bail application will not be considered on the same day.

Considering the willingness expressed by the petitioner to surrender and the limited relief sought, the Crl.M.C is disposed of with the following directions:-

- (i) Petitioner is permitted to surrender before the jurisdictional Magistrate Court within three weeks, after giving advance notice to the Public Prosecutor.
- (ii) If petitioner surrenders within the time granted, his application for bail shall be considered and orders passed on the day of surrender itself.
- (iii) Execution of the non-bailable warrant pending against the petitioner shall be kept in abeyance for three weeks.

Sd/-

V . G . ARUN
JUDGE