

Kerala High Court

Santhosh vs State Of Kerala on 8 June, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Crl.MC.No. 1860 of 2009()

1. SANTHOSH, S/O.KUMARAN,
... Petitioner

Vs

1. STATE OF KERALA,
... Respondent

2. THE SUB INSPECTOR OF POLICE,

For Petitioner :SRI.LATHEESH SEBASTIAN

For Respondent : No Appearance

The Hon'ble MR. Justice M.SASIDHARAN NAMBIAR

Dated :08/06/2009

O R D E R

M.SASIDHARAN NAMBIAR,J.

CRL.M.C.NO.1860 OF 2009

Dated 8th June 2009

O R D E R

Petitioner is the absconding sixth accused in Crime No.125/2007 of Ponkunnam police station registered for the offences under Sections 450 and 397 of Indian Penal Code, now pending as C.P.25/2007 before the Judicial First Class Magistrate, Kanjirapally. This petition is filed under Section 482 of Code of Criminal Procedure for a direction to the Magistrate to consider the application for bail on the date of his surrender.

2. Learned counsel appearing for petitioner was heard.
3. Learned counsel submitted that unless an order is passed directing the Magistrate to consider the bail application, it will not be considered on the date of his surrender.
4. When an absconding accused surrenders before the court and files an application for bail, Magistrate is expected to pass orders in the CRMC 1860/09 application without delay. I do not find any reason to believe that Magistrate will not act in accordance with law. Hence no direction is necessary. Petition is dismissed.

M.SASIDHARAN NAMBIAR, JUDGE.

uj.