

Kerala High Court

Leslie Polymers(India)Pvt. Ltd vs Circle Inspector Of Police & ... on 29 October, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 31623 of 2008(M)

1. LESLIE POLYMERS(INDIA)PVT. LTD.
... Petitioner

Vs

1. CIRCLE INSPECTOR OF POLICE & ANOTHER
... Respondent

For Petitioner :SRI.SHAJI CHIRAYATH

For Respondent : No Appearance

The Hon'ble MR. Justice R.BASANT

Dated :29/10/2008

O R D E R

R.BASANT, J.

W.P.C.No.31623 of 2008

Dated this the 29th day of October 2008

J U D G M E N T

The petitioner, who faces indictment in a prosecution under Section 138 of the Negotiable Instruments Act; who has not entered appearance before the learned Magistrate so far though the prosecution was initiated as early as in 2003; against whom coercive processes have been issued by the learned Magistrate to procure his presence and who apprehends imminent arrest in execution of such processes has come to this court with the prayer that directions under Section 482 Cr.P.C may be issued to the learned Magistrate to comply with the directions in Alice George vs.Deputy Superintendent of Police [2003(1)KLT 339] and to consider his application for bail to be filed by him when he surrenders before the learned Magistrate on merits, in accordance with law and expeditiously - on the date of surrender itself.

2. Sufficient general directions have already been issued in Alice George (Supra). It is not necessary for this court in every subsequent case to issue directions to the Magistracy to follow the dictum in Alice George (Supra). Every court is bound to do the same. I have no reason to assume that the same shall not be done. If the directions are not complied with the avenues of challenge/complaint are available for the petitioner.

3. In the result, this petition is dismissed subject to the above specific observations.

Issue copy of this order to the learned counsel for the petitioner for production before the learned Magistrate.

(R.BASANT, JUDGE) jsr R.BASANT, J.

CRL.M.CNo.

ORDER 21ST DAY OF MAY2007