

Kerala High Court

Shihabudeen vs State Of Kerala Represented on 11 November, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 7118 of 2010()

1. SHIHABUDEEN, AGED 40 YEARS,
... Petitioner

Vs

1. STATE OF KERALA REPRESENTED
... Respondent

For Petitioner :SRI.C.RAJENDRAN

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice V.RAMKUMAR

Dated :11/11/2010

O R D E R

V.RAMKUMAR, J.

Bail Application No.7118 of 2010

Dated this the 11th day of November, 2010

ORDER

The petitioner, who is the accused in Crime No.81 of 2006 of Pooyappally Police Station for offences punishable under Sections 341, 294(b), 323 & 506(i) I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.880 of 2006 on the file of the Judicial Magistrate of the First Class, Kottarakkara the case against the petitioner has been transferred to the Long Pending Case Register as L.P.No.37 of 2009. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same

shall be considered and disposed of preferably on the Bail Appln.No.7118/2010 same day on which it is filed notwithstanding the pendency of non-bailable warrants of arrest against the petitioner and also after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE skj