

Kerala High Court

L.Wilson vs State Of Kerala on 19 March, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 1519 of 2009()

1. L.WILSON

... Petitioner

Vs

1. STATE OF KERALA

... Respondent

For Petitioner :SRI.SOORAJ T.ELENJICKAL

For Respondent : No Appearance

The Hon'ble MR. Justice V.RAMKUMAR

Dated :19/03/2009

O R D E R

V. RAMKUMAR, J.

=====

Bail Application No.1519 of 2009

=====

DATED: 19.03.2009

O R D E R

Petitioner, who is the accused in S.T.No.281 of 2008 on the files of the Chief Judicial Magistrate, Thodupuzha for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner 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 same day on which it is filed after considering the explanation offered

by the petitioner for his previous non-appearance, notwithstanding the pendency of non-bailable warrants of arrest against the petitioner.

With the above observation this application is disposed of . Dated this the 19th day of March, 2009  
V.RAMKUMAR, JUDGE.

sj