

**(2024) 12 KL CK 0149**

**High Court Of Kerala**

**Case No:** Criminal Miscellaneous Petition No. 11067 Of 2024

Ummer

APPELLANT

Vs

State Of Kerala

RESPONDENT

**Date of Decision:** Dec. 31, 2024

**Acts Referred:**

- Indian Penal Code, 1860 - Section 420

**Hon'ble Judges:** K.V.Jayakumar, J

**Bench:** Single Bench

**Advocate:** V.A.Vinod, Maya M.N.

**Final Decision:** Disposed Of

### Judgement

K.V.Jayakumar, J

1. The petitioner herein is the accused in C.C No.980/2014 of JFMC, Tirur arising out of Crime No.19/2014 of Tirur Police Station, Malappuram. The

offences alleged against the petitioner are punishable under Section 420 of the Indian Penal Code, 1860.

2. The learned counsel for the petitioner submits that a non-bailable warrant is pending against the petitioner/accused. The learned Magistrate has also proceeded under Sections 82 and 83 of the erstwhile Code of Criminal Procedure.

3. Heard learned counsel for the petitioner and the Public Prosecutor.

4. The grievance projected by the petitioner is that, if he surrenders before the learned Magistrate, there is every likelihood that the petitioner would be remanded to judicial custody.

5. Upon hearing the submission of the learned counsel for the petitioner, I am of the view that this petition can be disposed of with the following

directions:

(i) The petitioner shall surrender before the concerned Magistrate within a period of two weeks from today.

(ii) On such surrender, if the petitioner move an application for bail, the learned Magistrate shall dispose of the application on that day itself, on merits

and shall pass appropriate orders.