

(2024) 10 KL CK 0120

High Court Of Kerala

Case No: Criminal Miscellaneous Petition No. 8896 Of 2024

Anil Kumar M.S.Vs State Of
Kerala

APPELLANT

Vs

RESPONDENT

Date of Decision: Oct. 24, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 420

Hon'ble Judges: Bechu Kurian Thomas, J

Bench: Single Bench

Advocate: V.Sri Nath, Noushad K. A.

Final Decision: Disposed Of

Judgement

Bechu Kurian Thomas, J

1. Petitioner is the second accused in C.C.No.2103/2015 on the files of the Judicial First Class Magistrate Court, Kakkanad, arising out of Crime

No.1649/2011 of Thrikkakara Police Station. The offence alleged against the petitioner are under Sections 420 r/w Section 34 of the Indian Penal Code, 1860.

2. Due to the non appearance of the petitioner, non bailable warrant has been issued against him. Even though petitioner is willing to appear and participate in the trial, he apprehends that he will be remanded to custody.

3. Having heard the learned counsel for the petitioner and the learned Public Prosecutor, I am of the view that this CrI.M.C. can be disposed of with a direction.

4. Accordingly, if the petitioner surrenders before the jurisdictional court within 15 days from today, the learned Magistrate shall consider the

applications for recall of warrant and for grant of bail, if any, filed by the petitioner in C.C.No.2103/2015, preferably on the date of appearance itself.

5. To enable the petitioner to appear before the learned Magistrate as directed, the non bailable warrant issued against the petitioner shall be kept in

abeyance for a period of 15 days from today.

The Crl.M.C. is disposed of with the above direction.