

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

WEDNESDAY, THE 26TH DAY OF AUGUST 2020 / 4TH BHADRA, 1942

Cr1.MC.No.3848 OF 2020(A)

SC 230/2019 OF THE ADDITIONAL SESSIONS COURT-V, ERNAKULAM

CRIME NO.1749/2016 OF Ernakulam Central Police Station ,  
Ernakulam

PETITIONER/S:

SAID RASHID,  
AGED 28 YEARS  
S/O. MULAFFER S., H.NO.266/7, M.V.MOULANA (H) ,  
ANDROT ISLAND, UNION TERRITORY OF LAKSHADWEEP,  
PIN-682551.

BY ADVS.  
SRI.R.ROHITH  
SRI.SAYED MURTHALA THANGAL

RESPONDENT/S:

STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF  
KERALA-682 031.

OTHER PRESENT:

PP SREEJA V.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 26.08.2020, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

ORDER

Dated this the 26<sup>th</sup> day of August, 2020

The petitioner is arrayed as the 3<sup>rd</sup> accused in S.C No.230 of 2019 of the Additional Sessions Court-V, Ernakulam. According to the petitioner, he was not able to appear before the Sessions Court based on the summons issued, since, at that point of time, he was employed as a sailor on a foreign vessel. Due to the petitioner's non-appearance, non-bailable warrant is issued against him.

2. The limited prayer in this Cr1.M.C is to permit the petitioner to surrender before the Sessions Court with an application for bail and for a direction to consider the bail application on the date of surrender itself.

3. In the facts and circumstances under

which non-bailable warrant was issued against the petitioner, I find the request to be reasonable.

The Criminal M.C. is disposed of permitting the petitioner to surrender before the Additional Sessions Court-V, Ernakulam in S.C No.230 of 2019 and to move an application for bail with prior notice to the Public Prosecutor concerned. In such event, the learned Sessions Judge shall consider the bail application on the date of surrender and pass appropriate orders thereon on the same day.

sd/-  
V.G.ARUN  
JUDGE

## **APPENDIX**

### **PETITIONER'S/S EXHIBITS:**

- |             |   |
|-------------|---|
| ANNEXURE I  | A TRUE COPY OF THE FIR IN CRIME<br>NO.1749/2016 OF CENTRAL POLICE STATION<br>ERNAKULAM ALONG WITH HER STATEMENT.                                  |
| ANNEXURE II | A TRUE COPY OF THE CHARGE SHEET FILED<br>BY THE POLICE AS S.C.NO.230/2019<br>PENDING BEFORE THE ADDL. DISTRICT AND<br>SESSIONS COURT-V ERNAKULAM. |