

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

FRIDAY, THE 30TH DAY OF APRIL 2021 / 10TH VAISAKHA, 1943

Crl.MC.No.1290 OF 2021(A)

CRIME NO.569/2018 OF VELLARADA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED NO.1:

CHANDRAN
AGED 57 YEARS
S/O CHELLAYAN NADAR, EREPUNNAKAD (H) ,
MANNAMKONAM. P.O, VELLARADA VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.ABDUL JALEEL.A

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM,
KOCHI-682031.
- 2 SUB INSPECTOR OF POLICE,
VELLARADA POLICE STATION,THIRUVANANTHAPURAM.
- 3 RAVEENDRAN,
AGED 63 YEARS
S/O KRISHNAN NADAR, SHAJI BHAVAN, KILIYUR,
VELLARADA,THIRUVANANTHAPURAM.

R3 BY ADV. SRI.R.GOPAN
SMT.SHYLAJA S.L, PP

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
30.04.2021, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.S.DIAS, J.

Crl.M.C.No.1290 of 2021

Dated this the 30th day of April, 2021

ORDER

The petitioner is the 1st accused in Crime No.569 of 2018 of the Vellarada Police Station registered against him for offences under Sections 29(b), 323, 326 and 34 of the Indian Penal Code. Annexure A1 is the F.I.R filed by the police.

2. The case of the petitioner is that he along with his son had filed B.A.No.3453 of 2018 seeking an order for pre-arrest bail. This Court by Annexure A6 order, allowed the case in favour of the petitioner's son, but rejected his application. Subsequently, the petitioner filed B.A.No.5000 of 2018 before this Court, but again this Court by Annexure A7 order dismissed the bail application. Thereafter the petitioner filed Crl.M.C.No.215 of 2021, seeking to quash Annexure A1. The said petition

was also dismissed as withdrawn by Annexure A8 order. The petitioner is now willing to surrender before the jurisdictional Magistrate, but apprehends that he may be remanded to judicial custody. Hence, the petitioner seeks for a direction to the court below to consider his application for bail on the date of his surrender itself.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondents 1 and 2.

3. Considering the limited relief that has been sought for in this petition, I am inclined to dispose of the Crl.M.C by passing the following directions:

i) The petitioner is at liberty to surrender before the Court of the Judicial First Class Magistrate-II, Neyyattinkara in Crime No.569 of 2018 and move an application for bail with notice to the learned Public Prosecutor.

ii) In the event of the petitioner filing such an

application, the learned Magistrate shall preferably on the date of surrender itself, consider and pass appropriate orders on the bail application in accordance with law.

sd/-

C.S.DIAS

JUDGE

mpm

APPENDIX

PETITIONER'S EXHIBITS:

ANNEXURE A1	COPY OF F.I.R. IN CRIME NO.569/2018 OF VELLARADA POLICE STATION.
ANNEXURE A2	TRUE COPY OF INTIMATION DATED 27/04/2018 ISSUED BY COMMUNITY HEALTH CENTRE AT VELLARADA.
ANNEXURE A3	TRUE COPY OF COMPLAINT FILED BY WIFE OF PETITIONER BEFORE SUB INSPECTOR OF POLICE, VELALRADA POLICE.
ANNEXURE A4	TRUE COPY OF ACKNOWLEDGEMENT RECEIPT.
ANNEXURE A5	TRUE COPY OF TREATMENT CERTIFICATE ISSUED BY COMMUNITY HEALTH CENTRE AT VELLARADA.
ANNEXURE A6	TRUE COPY OF JUDGMENT DATED 30/5/2018 IN B.A.NO.3453/2018.
ANNEXURE A7	TRUE COPY OF JUDGMENT DATED 1/10/2018 IN BA NO.5000/2018 OF THIS HONOURABLE COURT.
ANNEXURE A8	CERTIFIED COPY OF THE ORDER DATED 18/02/2021 IN CRL.M.C.NO.215/2021 OF THIS HONOURABLE COURT.