



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

OP (CRL.) NO. 226 OF 2024

CRIME NO.604 AND 605/2023 OF VARAPPUZHA POLICE STATION,

ERNAKULAM

CRMC NO.3778 OF 2023 OF DISTRICT COURT & SESSIONS

COURT, ERNAKULAM

PETITIONERS/ACCUSED 1 TO 4:

- 1 UMESH
AGED 43 YEARS
S/O. UNNIKRISHNAN,
PUTHUVALSTHALAM HOUSE,
CHERANELLOOR, ERNAKULAM,, PIN - 682034
- 2 NANDAKRISHNAN
AGED 28 YEARS
S/O. RAJAN, THOTTUNGAL HOUSE,
CHERANELLOOR, ERNAKULAM, PIN - 682034
- 3 ROHAN
AGED 26 YEARS
S/O. DHAYANANDAN,
PUTHUVALSTHALAM HOUSE,
CHERANELLOOR, ERNAKULAM, PIN - 682034
- 4 RAHUL
AGED 30 YEARS



S/O. DHAYANANDAN,
PUTHUVALSTHALAM HOUSE,
CHERANELLOOR, ERNAKULAM, PIN - 682034

BY ADVS.
K.R.VINOD
M.S.LETHA
NABIL KHADER
DEVIKA S.
JIJO M.P.
APARNA SHAJI

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031
- 2 THE STATION HOUSE OFFICER
VARAPPUZHA POLICE STATION, VARAPPUZHA,
ERNAKULAM,, PIN - 683517

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



J U D G M E N T

The petitioners are accused Nos.1 to 4 in Crime Nos.604 of 2023 and 605 of 2023 of Varappuzha Police Station, Ernakulam. Their grievance is that when they made attempt to surrender before the Judicial First Class Magistrate Court-III, North Paravur and offer bail, the learned Magistrate did not permit them to surrender. It is in these circumstances, the petitioners have approached this Court with a prayer to give a direction to the Judicial First Class Magistrate Court-III, North Paravur to permit the petitioners to surrender in the above mentioned crimes.

2. I have heard Sri.K.R.Vinod, the learned counsel for the petitioners and Sri.Prasanth M.P., the learned Public Prosecutor.

3. The learned Public Prosecutor, on instructions, submits that the 1st accused is the accused in Crime Nos.604 of



2023 and 605 of 2023 of Varappuzha Police Station, Ernakulam and the petitioners 2 to 4 are only suspects. It is submitted that the petitioners 2 to 4 have not been arrayed as accused so far. The learned Prosecutor further submitted that the petitioners 2 to 4 did not appear before the investigating officer for the purpose of identification. Admittedly, all the offences alleged against the 1st petitioner are bailable in nature.

4. Having heard the learned counsel appearing for the petitioners and the learned Public Prosecutor, this Original Petition is disposed of as follows:-

- (i) The 1st petitioner/1st accused is permitted to surrender before the Judicial First Class Magistrate Court-III, North Paravur in Crime Nos.604 of 2023 and 605 of 2023 of Varappuzha Police Station, Ernakulam and offer bail. Since all the offences are bailable in nature, the learned Magistrate is directed to grant bail to the 1st petitioner/1st accused on



suitable conditions.

- (ii) The petitioners 2 to 4 shall co-operate with the investigation.

Sd/-

DR.KAUSER EDAPPAGATH, JUDGE

AS



APPENDIX OF OP (CRL.) 226/2024

PETITIONER EXHIBITS

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| EXHIBIT P1 | THE COPY OF THE FIR NO.604/2023 OF
VARAPPUZHA POLICE STATION DATED
12.12.2023 |
| EXHIBIT P2 | THE COPY OF THE FIR NO.605/2023 OF
VARAPPUZHA POLICE STATION DATED
12.12.2023 |
| EXHIBIT P3 | THE COPY OF THE ORDER IN
CRL.M.C.NO.3778/2023 DATED 08.01.2024 |
| EXHIBIT P4 | THE COPY OF THE ORDER IN
CRL.M.C.NO.3636/2023 DATED 23.12.2023 OF
THE SESSIONS COURT, ERNAKULAM, |