

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

FRIDAY, THE 15TH DAY OF MAY 2020 / 25TH VAISAKHA, 1942

CRL.MC.NO.2610 OF 2020

(IN CRIME NO. 1390 / 2017 OF KADAKKAL POLICE STATION IN KOLLAM
DISTRICT, NOW PENDING BEFORE THE JUDICIAL FIRST CLASS
MAGISTRATE COURT (TEMPORARY), KADAKKAL AS C.P. 29 / 2018)

PETITIONER / ACCUSED - A4

AKHIL M, AGED 23 YEARS,
S/O MANIRAJAN,
CHARUVILA PUTHEN VEEDU,
CHARIPPARAMBU P.O.,
ITTIVA VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI. K.V.ANIL KUMAR

RESPONDENTS / STATE & COMPLAINANT

1. STATE OF KERALA REPRESENTED BY THE PUBLIC
PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. STATION HOUSE OFFICER, KADAKKAL POLICE STATION
KOLLAM DISTRICT.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL MC HAVING COME UP FOR ADMISSION ON 15.05.2020,
THE COURT ON THE SAME DAY ORDERED/PASSED THE FOLLOWING:

ASHOK MENON, J.

CrI.MC No.2610 of 2020

Dated this the 15th day of May, 2020

O R D E R

Petitioner is the fourth accused in Crime No.1390/2017 of Kadakkal Police Station which is presently pending as CP No.29/2018 before the Judicial First Class Magistrate's Court (Temporary), Kadakkal for having allegedly committed offences punishable under Section 55(g) & (h) and Section 8(1) & (2) of the Abkari Act. The petitioner submits that he was not aware of the committal proceedings before the court and therefore did not appear before the court and offer bail. But now he is willing to co-operate with the trial and the committal proceedings and is eager to surrender, but apprehends that he may be incarcerated. Therefore, he has approached this Court seeking for a direction to the learned Magistrate to dispose of the petitions to be filed by him on the very same day.

After having heard the learned counsel for the petitioner and the learned Public Prosecutor, the CrI.MC is allowed and the petitioner is directed to surrender before the Judicial First Class Magistrate (Temporary),

Kadakkal within a period of two weeks and file petitions for recalling of warrant and for bail. The petitions so filed by him shall be preferably disposed of by the learned Magistrate on the very same day. Till such time of surrender, coercive steps initiated against the petitioner shall be kept in abeyance.

**ASHOK MENON
JUDGE**

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Crl.MC. 2610/2020

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APPENDIX

PETITIONERS' EXHIBITS

**ANNEXURE-A:- A TRUE COPY OF THE FIR IN CRIME NO.1390 / 2017 OF
KADAKKAL POLICE STATION.**