

Ragini Vs. Vijayan

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SooperKanoon Citation : sooperkanoon.com/1012843

Court : Kerala

Decided On : Feb-01-2013

Judge : Honourable Mr.Justice T.R.Ramachandran Nair

Appellant : Ragini

Respondent : Vijayan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR FRIDAY, THE 1ST DAY OF FEBRUARY 2013 12TH MAGHA 193 CrI.MC.No. 752 of 2013 () ----- CC.111/2004 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KARUNAGAPPALLY ----- PETITIONER/ACCUSED: ----- RAGINI, D/O. RAMAN, AGED 4 YEARS L.D.C. ALL INDIA RADIO CBS THIRUVANANTHAPURAM-14 (HAILING FROM VANDUPETTA COMPOUND MAIN ROAD CHINNAKKADA, KOLLAM) BY ADV. SRI.C.RAJENDRAN RESPONDENT/COMPLAINANT : ----- 1. N. VIJAYAN, S/O.NARAYANAN AGED 5 YEARS, CHAKKALAYIL HOUSE, THODIYOOR NORTH P.O., KARUNAGAPPALLY.

2. STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM-682 031. R2 BY PUBLIC PROSECUTOR SRI. T. RAMAPRASAD UNNI THIS CRIMINAL MISC. CASE HAVING COME UP

FOR ADMISSION ON 01-02-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Mn ...2/- CrI.MC.No. 752 of 2013 () APPENDIX PETITIONERS' EXHIBITS : ANNEXURE-A1 - COPY OF THE COMPLAINT IN C.C.NO.111/2004 ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, KARUNAGAPPALLY. RESPONDENTS' EXHIBITS : NIL //TRUE COPY// P.S. TO JUDGE Mn T.R.RAMACHANDRAN NAIR, J.

----- CRL.M.C.No.752 Of 2013

----- DATED THIS THE 1st DAY OF FEBRUARY, 2013 ORDER The petitioner who is working as a Lower Division Clerk in All India Radio, Thiruvananthapuram is seeking for a direction to the court to consider the bail application of the petitioner on the date of filing of the same. The offence alleged is under Section 138 of the Negotiable Instruments Act. It is stated that the trial is over and the case was posted to 20.11.2012 for hearing by which date, the learned counsel appearing for the petitioner could not reach the court for arguing the case which resulted in cancelling the bail of the petitioner and consequential issuance of warrant. The case is now posted to 28.2.2013. It is stated that the counsel appearing for the petitioner is regularly practising in various courts in Thiruvananthapuram. According to the petitioner, if the petitioner is remanded, that may affect her career and therefore the prayer as above is sought 2. As already noticed, the offence alleged is under Section 138 of the Negotiable Instruments Act and trial is also over. It is stated in CrI.M.C.No.752/13 -2- paragraph No.3 that she was granted permanent exemption under Section 205 of Cr.P.C.

3. In the light of the peculiar circumstances of the case pleaded by the petitioner, the petitioner will surrender before the court within ten days and if an application for bail is filed, the same will be considered and in the light of the fact that the petitioner was already granted permanent exemption, the application for bail will be considered and appropriate orders will be passed on the same date. The CrI.M.C.is accordingly disposed of. Sd/-(T.R.RAMACHANDRAN NAIR), JUDGE.
dsn