

NithIn Vs. State of Kerala

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Court : Kerala

Decided On : Jan-30-2013

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

Appellant : Nithin

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR WEDNESDAY, THE 30TH DAY OF JANUARY 2013 10TH MAGHA 193 CrI.MC.No. 622 of 2013 () ----- CC.NO.635/2005 of JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ERNAKULAM CRIME NO. 218/2005 OF ERNAKULAM CENTRAL POLICE STATION , ERNAKULAM ----- PETITIONER(S)/ACCUSED: ----- NITHIN, AGED 3 YEARS, S/O. RAVEENDRAN,T.C.NO.VI/33, V.S.S.C HOUSING COLONY,THUMBA,TRIVANDRUM. BY ADVS.SRI.R.SUNIL KUMAR SMT.A.SALINI LAL RESPONDENT/COMPLAINANT: ----- STATE OF KERALA, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM. BY PUBLIC PROSECUTOR SMT.V.H.JASMINE THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 30-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: sts T.R. RAMACHANDRAN NAIR, J.

----- Crl. M.C. No.622 OF
201.----- Dated this the 30th day of January, 2013.

ORDER

The main prayer in the Crl.M.C is for a direction to the learned Magistrate to consider the bail application in Crime No.218/2005 of Ernakulam Central Police Station which is now pending as C.C.No.635/2005 and to grant bail to the petitioner on the date of his surrender itself.

2. The prosecution story is that the de facto complainant while travelling in a bike at M.G. Road, Ernakulam near Seemati, the petitioner and the 1st accused wrongfully restrained them and hit the de facto complainant whereby the de facto complainant lost his mobile phone. It is stated that the petitioner is innocent of the said allegation.

3. The apprehension of the petitioner is that if the petitioner surrenders before the court, he may be remanded to judicial custody and it will cause hardship to him. It is submitted that he is ready to surrender before the court as directed by this Crl.M.C.No.622/2013 2 Court. The Crl.M.C is disposed of with the following directions: The petitioner will surrender before the court below within a period of ten days and if he files an application for bail, the same will be considered on the same day of surrender preferably and the court will be free to fix appropriate conditions in the matter. T.R. RAMACHANDRAN NAIR JUDGE smp

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