

Arun vs State of Kerala

Arun vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1386311

Court : Kerala

Decided On : Aug-25-2023

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : OP(Crl.)/670/2023

Appellant : ARUN

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS FRIDAY, THE 25TH DAY OF AUGUST 2023 / 3RD BHADRA, 1945 OP(CRL.) NO. 670 OF 2023 CRIME NO.147/2015 OF KAYAMKULAM EXCISE RANGE OFFICE, ALAPPUZHA IN S.C.NO.340/2019 OF ASSISTANT SESSIONS COURT, ALAPPUZHA PETITIONER/ACCUSED NO.4: ARUN AGED 33 YEARS S/O. ASHOKAN, CHIRAKKADAVAM, KAYAMKULAM, BY ADVS. M.G.SREEJITH P.JAYA SWAPNALEKHA K.T. VIDYAJITH M. BINCY JOSE ROJIN DEVASSY ANIL KUMAR P.T. RESPONDENTS/STATE: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM DISTRICT, PIN - 682031 2

THE EXCISE INSPECTOR EXCISE RANGE OFFICE, KAYAMKULAM,
BY ADV. C.N.PRABHAKARAN PUBLIC PROSECUTOR THIS OP
(CRIMINAL) HAVING COME UP FOR ADMISSION ON 25.08.2023, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

===== Dated this the
25th day of August, 2023

JUDGMENT

Petitioner is the 4th accused in S.C.No.340/2019 on the files of the Assistant Sessions Court, Alappuzha. Due to non appearance of the petitioner, a non bailable warrant has been issued, and petitioner apprehends that, on his appearance, the Trial Court may remand him before consideration of the application for recall of warrant and bail.

2. Having heard the learned counsel for the petitioner as well as

the learned Public Prosecutor, I am satisfied that, directions can be issued to consider the applications for bail and for recall of warrant on the same day of filing, provided petitioner appears on a particular date.

3. In the above circumstances, there will be a direction to the

Assistant Sessions Court, Alappuzha, in S.C. No.340/2019 to consider application for recall of warrant and for grant of bail on the same day itself, provided petitioner appears and files such an application on or before 04.09.2023. The non bailable warrant issued against the petitioner shall be kept in abeyance till 04.09.2023. Original petition is disposed. Sd/- BECHU KURIAN THOMAS JUDGE
jka/25.08.23. APPENDIX OF OP(CRL.) 670/2023 PETITIONER EXHIBITS Exhibit-P1 TRUE COPY OF CASE DETAILS OF SC NO.340/2019 IN THE FILES OF SUB COURT, ALAPPUZHA DOWNLOADED FROM E COURT PORTAL. Exhibit-P2 TRUE COPY OF REPORT IN CRIME NO.147/2015 OF EXCISE RANGE OFFICE, KAYAMKULAM

