

**Thonippalam Mohammed Vs. State**

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**SooperKanoon Citation :** [sooperkanoon.com/908460](http://sooperkanoon.com/908460)

**Court :** Kerala

**Decided On :** Nov-09-2010

**Judge :** V.Ramkumar, J.

**Appeal No. :** Bail Application No.7066 of 2010

**Appellant :** Thonippalam Mohammed

**Respondent :** State

**Advocate for Pet/Ap. :** SRI.M.SASINDRAN, Adv.

**Judgement :**

V.RAMKUMAR, J.

Bail Application No.7066 of 2010

Dated this the 9th day of November, 2010

## **ORDER**

1. The petitioner, who is the accused in Crime No.123 of 1996 of Meppayur Police Station, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in L.P.No.8 of 1999 on the file of the Judicial Magistrate of the First Class-II, Perambra, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to

nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed notwithstanding the pendency of non-bailable warrants of arrest against the petitioner and also after considering the explanation offered by the petitioner for his previous non-appearance.

3. With the above observation this application is disposed of.

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