

Joy. Vs. the Sub Inspector of Police.

Joy. Vs. the Sub Inspector of Police.

SooperKanoon Citation : sooperkanoon.com/917111

Court : Kerala

Decided On : Dec-17-2010

Reported in : ILR2010(4)Ker143

Judge : V. Ramkumar, J.

Appeal No. : Bail Appl..No. 8492 of 2010

Appellant : Joy.

Respondent : The Sub Inspector of Police.

Advocate for Pet/Ap. : SRI.K.B.GANGESH, Adv.

Judgement :

1. Petitioner who is the accused in C.C. No. 1335 of 2003 on the file of Judicial First Class Magistrate, Irinjalakuda, seeks anticipatory bail.
2. Consequent on the non-appearance of the petitioner in C.C. No. 1335 of 2003 on the file of Judicial First Class Magistrate, Irinjalakuda, and the case against the petitioner has been transferred to the Long Pending Case Register as L.P.R. No.115 of 2008. Admittedly, 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.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com