

(2023) 07 KL CK 0038

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 5269 Of 2023

Sreejith R Nair

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 05-07-2023

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 354, 447

Citation : (2023) 07 KL CK 0038

Hon'ble Judges : K.Babu, J

Bench : Single Bench

Advocate : Raajesh S.Subrahmanian, V.R.Rajesh, R.Rajalekshmi, Sangeetha Raj

Final Decision : Disposed Of

Judgement

K.Babu, J

1. The petitioner is accused No.3 in L.P.No.4/2023 in C.C.No.1269 of 2014 on the file of Judicial First Class Magistrate Court-I, Changanassery.
2. He faces charges under Sections 447, 354 and 323 r/w Section 34 of the Indian Penal Code.
3. The other accused faced trial. They were acquitted by the trial Court.
4. As the petitioner was employed in Dubai, he could not appear before the trial Court and face trial. The petitioner is prepared to surrender before the trial Court and face trial.
5. Having regard to the nature of the allegations raised against the petitioner, and further fact that the other accused in this case were acquitted, the Court below is directed to consider and decide the application for regular bail to be filed by the petitioner on the date of filing itself, in the light of the principles declared by the Apex Court in *Satender Kumar Antil v CBI* [(2022) 10 SCC 51].
6. The petiitoner is granted two weeks time from today to appear before the

Court below. The non-bailable warrant issued against the petitioner shall be kept in abeyance for a period of two weeks.

The Crl.M.C. is disposed of as above.