

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRL.M.P.NO. 11608 OF 2012 IN Petition(s) for Special Leave to Appeal (Cr1)... 2012

CRLMP.NO(s). 11608

(From the judgement and order dated 22/02/2012 in CRLRP No.974/2003 of The HIGH COURT OF KERALA AT ERNAKULAM)

SAMBATHKUMAR & ORS.

Petitioner(s)

VERSUS

STATE OF KERALA

Respondent(s)

(With appln(s) for exemption from surrendering)

Date: 05/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI
(IN CHAMBERS)

For Petitioner(s)

Mr. Renjith. B,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Heard learned counsel for the petitioners.

The original accused Nos. 1,5 and 6 have filed this application praying that they may be exempted from surrendering. They have been sentenced under Section 61 of the Kerala Abkari Act and sentenced to undergo six months simple imprisonment and to pay a fine of Rs.500/- each. Learned counsel states that during the investigation stage, they were in jail. He further states that they do not have any criminal antecedents.

In view of the fact that the sentence is only six months simple imprisonment, in the peculiar facts and circumstances of the case, the petitioners are exempted from surrendering. The application for exemption from surrendering is, therefore, allowed.

(Sukhbir Paul Kaur) (Indu Bala Kapur)
Court Master Court Master