

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1880 OF 2010
(Arising out of SLP(Crl.) No.4221/2010)

SURENDRAN & ANR.

Appellant(s)

VERSUS

STATE OF KERALA

Respondent(s)

O R D E R

Leave granted.

Heard the learned counsel appearing for the parties on this appeal which is filed by the appellants herein being aggrieved by the judgment and order dated 30th March, 2010 passed by the Kerala High Court. By the aforesaid order, the High Court declined to release the appellant on bail. The appellant was convicted by the trial court finding him guilty of offence under Section 489(C) of the Indian Penal Code, 1860 and was sentenced to undergo rigorous imprisonment of four years and to pay a fine of Rs.50,000/-.

As against the said order, the appellant has preferred an appeal. The said appeal is entertained by the High Court but by the impugned judgment and order declined to release the appellant on bail.

Having heard the learned counsel appearing for the parties and considering the fact that the period of sentence is only for a period of four years, we feel that the appeal should not be allowed to be rendered infructuous by not releasing the appellant on bail. Considering the said fact, we request the High Court to hear and dispose of the appeal as expeditiously as possible and atleast within a period of six months. If in case,

the said appeal cannot be heard and disposed of within a period of six months, the appellant shall be released on bail on the terms as fixed and determined by the High Court.

The appeal is disposed of in terms of the observations and directions.

.....J
(Dr. MUKUNDAKAM SHARMA)

.....J
(ANIL R. DAVE)

NEW DELHI,
September 27, 2010

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ITEM NO.51

COURT NO.14

SECTION II

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

Petition(s) for Special Leave to Appeal (Crl) No(s).4221/2010

(From the judgement and order dated 30/03/2010 in CRLA No. 2483/2009 & CRMA No. 3020/2010 of The HIGH COURT OF KERALA AT ERNAKULAM)

SURENDRAN & ANR.

Petitioner(s)

VERSUS

STATE OF KERALA

Respondent(s)

(With appln(s) for exemption from filing O.T., and bail and exemption from filing proof of surrender)

Date: 27/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s)

Mr. K.P. Rajagopal, Adv.
Mr. A.Venayagam Balan,Adv.

For Respondent(s)

Mr. R. Sathish,Adv.

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

Leave granted.
The appeal is disposed of in terms of the Signed order.

(NEELAM GULATI)
Sr. P.A.

(RENU DIWAN)
COURT MASTER

(Signed order is placed on the file)