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SLP(Crl.)No. 4450 OF 2000
ITEM No.18

Court No.10

SECTION II
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 4450/2000

(From the judgement and order dated 18/10/2000 in CRLMC 4556/00
of The HIGH COURT OF KERALA AT ERNAKULAM)

ELAMGOVAN

Petitioner (s)

VERSUS

DEPUTY SUPDT. OF POLICE
(With Appln(s). for stay of arrest)

Respondent (s)

Date : 27/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

For Petitioner (s) Mr. Prabha Shankar Mishra,Sr.Adv.
Mr. S.Chandra Shekhar,adv.
Mr. Vishnu Sharma,adv.
Mr. Upendra Mishra,adv.
Mrs. Swarupa Reddy,adv.
Mr. Himanshu Shekhar,Adv.

For Respondent (s) Mr. A.S.Nambiar,Sr.Adv.
Mr. K.M.K. Nair,Adv.

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

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Heard Mr. P.S.Mishra, learned senior counsel
appearing for the petitioner and Mr. A.S.Nambiar, learned
senior counsel appearing for the respondent.

With the consent of learned counsel for the
parties, this special leave petition is disposed of by
passing the following order:

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The petitioner - Elamgovan who is stated to be not
in detention, will surrender before the competent
Magistrate on or before 14th May, 2001 and seek regular
bail. Till 14th May, 2001, the petitioner will not be
arrested in criminal case No.123/99 registered by
Vandenmedu police station and re-numbered as 43/CR/2000 of
C.B.C.I.D. Idukki.

The Magistrate will dispose of the bail petition on
merits after hearing counsel for the applicant and for the
prosecution without being influenced by the observations
and findings in the order of the High Court dated 18th
October, 2000 in Criminal Miscellaneous Case No.4556/2000,

which is under challenge in this petition.

We make it clear that we have not considered the merits of the case. The SLP is disposed of.

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(Suman Wadhwa)
Court Master

(S.Malkani)
Court Master