

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

Con.Case(C).No. 1366 of 2014 (S) IN WP(C).27276/2014

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AGAINST THE ORDER/JUDGMENT IN WP(C) 27276/2014 of HIGH COURT OF  
KERALA DATED 21-10-2014

PETITIONER:

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DILEEP K.D. AGED 36 YEARS  
S/O.DIVAKARAN, KAPPIL HOUSE, VELLIKKAD  
MUNDUR P.O.  
PALAKKAD DISTRICT - 678 592 (REGISTERED  
OWNER OF VEHICLE KL-09/AC-8476) .

BY ADV. SRI.SHOBY K.FRANCIS

RESPONDENT IN WPC:

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CHANDRAN.C.  
SUB INSPECTOR OF POLICE, TOWN SOUTH POLICE STATION  
PALAKKAD, PIN - 678 001.

R BY GOVERNMENT PLEADER: SMT M J RAJASREE SR

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY  
HEARD ON 13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**A.MUHAMED MUSTAQUE, J.**  
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**C.O(C).No.1366 of 2014**  
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**Dated this the 13<sup>th</sup> day of January, 2015**

**JUDGMENT**

This contempt is pertaining to non-compliance of the direction in the judgment of this Court by the respondent by not reporting seizure of the vehicle before the competent jurisdictional magistrate. In the counter affidavit, it is stated that instead of producing the vehicle before the learned Judicial First Class Magistrate-III, Palakkad, respondent produced the vehicle before the District Collector, Palakkad. Respondent has tendered unconditional apology for the inconvenience caused to all concerned. Accepting the unconditional apology, the contempt case is closed. Petitioner's further grievance is that on account of non reporting of seizure of the vehicle and on account of non registration of the crime, learned Magistrate has dismissed his application for interim custody.

2. It is made clear that dismissal of application for interim custody will not stand in the way of petitioner filing fresh petition for interim custody. In view of the fact that a crime is registered as FIR No.1875 of 2014 under Sec.21 of the MMDR

Act, 1957, learned Magistrate shall consider the application within a period of ten days of moving such application.

The contempt case is closed.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE.**

Sbna/14/01/15