

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

Crl.MC.No. 569 of 2015 ()

IN CRRP 47/2012 of D.C.& SESSIONS COURT,MANJERI

**IN CRMC 1884/2012 of J.M.F.C.-II,PERINTHALMANNA
CRIME NO. 315/2009 OF WANDOOOR POLICE STATION , MALAPPURAM**

PETITIONER(S):

**FIROZ BABU
S/O.MOHAMMED NAJEEB, ERANJIKKAL HOUSE, PARUTHIYOLA
MAMPAD, NILAMBUR TALUK, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.JITHIN LUKOSE**

RESPONDENT(S):

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R BY PUBLIC PROSECUTOR SMT. P. MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 05-02-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 569 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1: CERTIFIED COPY OF ORDER IN CRL.M.C. 1884/2012 DATED 23/06/2012 OF THE JFCM COURT-II, PERINTHALMANNA.

ANNEXURE A2: TRUE COPY OF THE ORDER DATED 18/09/2012 IN CRL.RP47/201 OF THE FILES OF SESSIONS COURT MANJERI.

ANNEXURE A3: TRUE COPY OF THE TITLE DEED NO. 6755/2010 OF THE PROPERTY OF THE UNCLE OF THE PETITIONER.

ANNEXURE A4: TRUE COPY OF THE LETTER DATED 23/01/2015 ISSUED BY THE MAMPAD GRAMA PANCHAYATH SECRETARY.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PATO JUDGE
sab

P.UBAID, J.

Crl. M.C No. 569 of 2015

Dated this the 5th day of February, 2015.

O R D E R

The petitioner herein is the registered owner of a vehicle. He has already obtained orders from the Judicial First Class Magistrate Court-II, Perinthalmanna regarding the said vehicle under Section 457 Cr.P.C. The said vehicle was released to him on certain conditions imposed by the court below. In compliance of the condition the petitioner's surety produced his original title deed itself in court. The whole prosecution stands closed. Once the prosecution is closed forever, the court will have to pass final orders, releasing the property to the appropriate person. It is not known why the court below has imposed so many conditions to release the property. Anyway, the surety now wants the original title deed. In the present circumstances, I feel that the surety's request will have to be considered by the trial court. If at all the conditions should continue, the surety can very well produce the copy of the document, and the original document can be returned.

With these observations this Crl.M.C is closed, giving liberty to the surety to make appropriate application before the court below.

If such request is made, it shall be considered and decided without any delay.

P.UBAID,
JUDGE

sab