

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

Crl.MC.No. 1508 of 2015

CRIME NO. 693/2014 OF AREACODE POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED :

**SHAMSUDEEN K.,
S/O. HASSANKUTTY, KUNDIL HOUSE, KODIYATHOOR,
MUKKOM, KOZHIKODE DISTRICT.**

BY ADV. SRI.BABU S. NAIR

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE ,
AREACODE POLICE STATION,
MALAPPURAM DISTRICT-673 638.**

BY PUBLIC PROSECUTOR SMT.S.HYMA

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
25-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 1508 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A : TRUE COPY OF THE FIR IN CRIME NO.693/2014 OF THE AREACODE
POLICE STATION, DTD.26.12.2014.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P. UBAID, J.

Crl.M.C.No.1508 of 2015

Dated this the 25th day of March, 2015

O R D E R

The petitioner's vehicle was seized by the police in a crime registered under Section 379 IPC, and under Sections 20 and 23 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (for short, 'the Sand Act'). He wants to make application for interim custody of vehicle under Section 451 Cr.P.C. His grievance is that the police has not so far reported the fact of seizure to the judicial Magistrate having jurisdiction, under Section 23A(1) of the Sand Act. Now, the learned Public Prosecutor submits, on instructions, that the police has already reported the fact of seizure to the court on 18.03.2015. I find that the petitioner's grievance stands redressed. He can very well make application before the learned Magistrate under Section 451 Cr.P.C., and if the petitioner is entitled for interim custody, the vehicle can be released to the petitioner on appropriate and reasonable conditions.

With these observations, this Crl.M.C. is closed.

Sd/-

P. UBAID, JUDGE

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