

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE P.UBAID**

**WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937**

**Crl.MC.No. 1713 of 2015 ()**  
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**(CRIME NO. 25/2015 OF MATTANNORE POLICE STATION , KANNUR)**

**PETITIONER/ACCUSE**  
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**M.V.JANARDHANAN, AGED 60 YEARS  
S/O.P.K.BAPPU, BAPPU NILAYAM, MUNDERI AMSOM,  
ECHUR, KANNUR DISTRICT.**

**BY ADVS.SMT.K.DEEPA (PAYYANUR)  
SRI.V.R.NASAR**

**RESPONDENT(S)/STATE & COMPLAINANT:**  
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- 1. THE STATE OF KERALA,  
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA  
ERNAKULAM-31.**
- 2. SUB INSPECTOR OF POLICE,  
MATTANNORE POLICE STATION, KANNUR DISTRICT  
PIN-670 702.**

**R BY PUBLIC PROSECUTOR SMT. P.MAYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 01-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**Crl.MC.No. 1713 of 2015 ()**  
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**APPENDIX**

**PETITIONER(S)' ANNEXURES**  
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**ANNEXURE I : CERTIFIED COPY OF THE FIR IN CRIME NO.25/2015 OF THE  
MATTANNURE POLICE STATION.**

**ANNEXURE II : TRUE COPY OF THE REGISTRATION CERTIFICATE AND THE GOODS  
CARRIAGE PERMIT OF THE VEHICLE.**

**RESPONDENT(S)' ANNEXURES : NIL**  
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**/TRUE COPY/**

**P.A.TO JUDGE**

**vmr**

P. UBAID, J.

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Crl.M.C.No.1713 of 2015  
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Dated this the 1<sup>st</sup> day of April, 2015

O R D E R

The petitioner's vehicle is involved in a crime registered by the Mattannur police under the provisions of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001(for short, 'the Sand Act'). He wants to make an application before the learned Magistrate having jurisdiction, under Section 451 Cr.P.C. for interim custody of the vehicle. But his grievance is that police has not so far reported the fact of seizure to the learned Magistrate. Now, the learned Public Prosecutor submits that the police has reported the fact of seizure to the learned Magistrate. In such a circumstance the petitioner can very well make application before the learned Magistrate, under Section 451 Cr.P.C. The learned Magistrate will release the vehicle to the petitioner on appropriate and reasonable conditions, if he is the right person to claim interim custody under Section 451 Cr.P.C., and if there is no other factual or legal objection.

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

Sd/-

P. UBAID, JUDGE

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