

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

Crl.MC.No. 3470 of 2015 ()

PETITIONER(S):

- 1. SATHEESH, S/O.AYAPPAN KUTTY,
AGED 26 YEARS, NADUKATHODI HOUSE,
THOTTAKKARA, PALAKKAD DISTRICT.**
- 2. SAIFUDHIN, S/O.SIDHEEQUE,
AGED 22 YEARS, ASHRARI HOUSE,
MUKATHANNI, THENGARA, PALAKKAD DISTRICT.**

**BY ADVS.SRI.C.M.KAMMAPPU,
SRI.MANSOOR.B.H.**

RESPONDENT(S):

- 1. STATION HOUSE OFFICER,
MANNARKKAD POLICE STATION,
PALAKKAD DISTRICT-678 004.**
- 2. STATION HOUSE OFFICER,
SREEKIRSHNAPURAM POLICE STATION,
PALAKKAD-678 024.**
- 3. DISTRICT COLLECTOR,
CIVIL STATION, PALAKKAD-678 001.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

Crl.MC.No. 3470 of 2015

APPENDIX

PETITIONERS' ANNEXURES:

**ANNEXURE A : TRUE COPY OF THE SEIZURE MAHAZAR DATED 03-06-2015
PREPARED BY THE FIRST RESPONDENT.**

RESPONDENTS' ANNEXURES:

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ALEXANDER THOMAS, J.

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Crl.M.C.No. 3470 of 2015

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Dated this the 10th day of June, 2015

O R D E R

It is pointed out that the only offence alleged as against the petitioners are those under Sec.4(1) read with Sec.21 of the Mines & Minerals (Development & Regulation) Act. It is common ground that as per the provisions of Sec.23A of the Mines & Minerals (Development & Regulation) Act and Rule 32 of the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015, the said offences are compoundable. This Court has disposed of similar matters directing the competent authority concerned to consider and take necessary action on the application for compounding that may be submitted in such cases. It is submitted by the learned counsel for the petitioners that though the petitioners had submitted application for compounding the above said offence, the said application was not received by the respondent authority concerned and that direction in that regard may be granted for consideration of such compounding application.

Accordingly, it is ordered that in case the petitioners submit necessary application for compounding as permitted by the above said Act and Rules before the respective respondent authorities, then the respective respondent authorities shall consider such compounding application and deal with the same, in accordance with law. Necessary decision on the said compounding application shall be taken by the respective respondent authorities without further delay, at least within a period of ten days from the date of receipt of the compounding application. If the plea of compounding is allowed, then the respondent concerned may impose a compounding fee of Rs.25,000/- (rupees twenty five thousand only) on each of the petitioners and on remitting the said amount, the respective vehicles shall be released to the respective petitioners without further delay.

The Crl.M.C. is disposed of as above.

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///True copy///

Sd/-
ALEXANDER THOMAS, JUDGE

P.S. to Judge