

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

Crl.MC.No. 6775 of 2015

**CMP 2253/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II,ATTINGAL.
CRIME NO. 843/2015 OF MANGALAPURAM POLICE STATION.**
.....

PETITIONER/PETITIONER:

**REKHA, AGED 38 YEARS, W/O. SUDHEESAN,
KARTHIKA, VALIYAKUNNU DESOM,
KIZHUVILAM P.O, CHIRAYINKEEZHU TALUK,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.ANOOP (MULAVANA)

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.P.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1- TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE
VEHICLE BEARING NO KL 16 H 9662.**
- ANNEXURE A2- TRUE COPY OF THE PETITION FILED BY THE PETITIONER
U/S 451 CRPC DATED 22-09-2015.**
- ANNEXURE A3- TRUE COPY OF THE ORDER DATED 28-09-2015 IN
CMP 2253/2015 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-II, ATTINGAL IN CRIME NO 843/2015 OF
MANGALAPURAM POLICE STATION.**

RESPONDENT(S)' ANNEXURES: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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B. KEMAL PASHA, J.

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Crl.M.C. No.6775 of 2015 F
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Dated this the 2nd day of November, 2015

ORDER

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Heard learned counsel for the petitioner and learned Public Prosecutor.

2. The learned Public Prosecutor has pointed out that the vehicle involved in the case is not a material object in the case and the said vehicle was made use of for taking A1 and A2 to the hospital, after the incident. Matters being so, there is no objection for the prosecution to release the vehicle to the interim custody of the petitioner under Section 451 Cr.P.C.

In the result, this Crl.M.C. is allowed and Annexure-A3 order is quashed. The court below is directed to release the Omni Van bearing registration No.KL-16H-9662 to the

custody of the petitioner on her executing a bond for ₹2,00,000/- with two solvent sureties for the like sum each to the satisfaction of the court below. The petitioner shall not dispose of the vehicle till the disposal of the case involved and shall produce the vehicle as and when required.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/02/11

// True Copy //

PA to Judge