

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

CrI.MC.No. 6939 of 2015

C.M.P.NO.249 OF 2015 OF SPECIAL COURT(N.D.P.S ACT CASES), VADAKARA

CRIME NO. 960/2015 OF MEDICAL COLLEGE POLICE STATION , KOZHIKODE

PETITIONER(S)/PETITIONER :

**SIDHEEQ, AGED 55 YEARS,
S/O.MUHAMMED (LATE), ARAKKAL HOUSE, NADUVAKKAD,
MAMPAD P.O., MALAPPURAM DISTRICT.**

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA, REPRESENTED BY
THE S.H.O, KOZHIKODE MEDICAL COLLEGE POLICE STATION,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE I: TRUE COPY OF THE PETITION DATED 17.09.2015 FOR
INTERIM CUSTODY OF THE VEHICLE FILED BEFORE
THE LOWER COURT.**

**ANNEXURE II: TRUE COPY OF THE ORDER DATED 29.09.2015 IN
C.M.P.NO.249 OF 2015 OF KOZHIKODE MEDICAL COLLEGE
POLICE STATION.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B.KEMAL PASHA, J.

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Crl.M.C. No. 6939 of 2015

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Dated this the 28th day of October, 2015

ORDER

The petitioner is aggrieved by condition No.1 imposed by the court below in Annexure-II order, whereby the petitioner has been asked to furnish bank guarantee for ₹6 lakhs for getting the Maruti Swift Desire Car bearing Regn. No.KL-71/149 involved in Crime No.960/2015 of the Medical College Police Station, Kozhikode, released.

2. On hearing the learned counsel for the petitioner, this Court is of the view that the court below ought to have obtained a certificate of valuation of the vehicle from the concerned MVI or AMVI for imposing such a condition. The court below shall obtain such a valuation as expeditiously as possible, at any rate, within 15 days from the date of receipt of a copy of this order and modify

condition No.1 accordingly.

With the said observation, this Crl.M.C is disposed of.

Sd/-
B.KEMAL PASHA, JUDGE

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