

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(C).No. 15954 of 2015 (T)

PETITIONER(S):

**RASHID M.T., AGED 30 YEARS,
S/O.MUHAMMED, PARAKKAL VEEDE, PINANGODE P.O.,
VENGAPPALLY VILLAGE, VYTHIRI TALUK, WAYANAD - 673 121.**

BY ADV. SMT.CELINE JOSEPH

RESPONDENT(S):

- 1. THE DIVISIONAL FOREST OFFICER,
SOUTH WAYANAD DIVISION, KALPETTA,
WAYANAD DISTRICT,PIN - 673 121.**
- 2. STATE OF KERALA,
REPRESENTED BY SECRETARY TO FOREST DEPARTMENT,
SECRETARIAT,
GOVT. OF KERALA THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

**R1 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R2 BY SRI.M.P.MADHAVANKUTTY, SPL. GOVT. PLEADER FOR FORE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE SEIZURE REPORT DATED 19-2-15 OF THE RANGE
FOREST OFFICER, KALPETTA RANGE.

EXHIBIT P2 TRUE COPY OF THE ORDER DATED 13-03-2015 OF THE CHIEF JUDICIAL
MAGISTRATE, KALPETTA.

EXHIBIT P-3 TRUE COPY OF THE AGREEMENT BETWEEN 1ST ACCUSED AND
ALAKKANDY KUTTAN DATED 19-02-2015.

EXHIBIT P-4 TRUE COPY OF THE TAX RECEIPT ISSUED TO ALAKKANDY KAYAMA.

EXHIBIT P4(A) TRUE COPY OF THE ID CARD OF THE ALAKANDY KUTTAN.

EXHIBIT P4(B) TRUE COPY OF THE AADHAR CARD OF THE ALAKKANDY KUTTAN.

EXHIBIT P5 TRUE COPY OF THE AFFIDAVIT DATED 23-02-2014 OF THE KUTTAN.

EXHIBIT P6 TRUE COPY OF THE ORDER NO G(2)/1787/15 DATED 30-04-2015 ISSUED
BY THE DIVISIONAL FOREST OFFICER.

EXHIBIT P7 TRUE COPY OF THE CHALAN FOR RS. 1,10,000/-.

EXHIBIT P7(A) TRUE COPY OF THE CHALAN FOR RS. 556/-

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

K. VINOD CHANDRAN, J.

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W.P.(C) No.15954 of 2015 - T

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Dated this the 8th day of June, 2015

J U D G M E N T

The petitioner's vehicle bearing Registration No. KL-12/H-5317, was seized by the Forest Department alleging commission of offence under the Indian Forest Act, 1972. The confiscation proceedings were proceeded with by the 1st respondent and in the meanwhile, the petitioner made an application for release of the vehicle, which was dealt with by Ext. P6. The value of the vehicle was determined at Rs.1,10,000/- and the petitioner was directed to pay the amount in cash, in which event alone, the release was directed. The petitioner contends that the petitioner would produce a Bank guarantee and the vehicle may be released on such guarantee.

2. In such circumstance, if the petitioner produces a

W.P.(C) No.15954 of 2015 - T

Bank guarantee from any of the Nationalised /Scheduled Banks, then the petitioner shall be granted release within three days from the date of production of such Bank guarantee.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.