

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 28270 of 2015 (G)

PETITIONER(S):

1. JAMEELAKUMARI, AGED 40 YEARS,
W/O.SURESH KUMAR, KOCHUVEETIL,
NALUNNAKKAL P.O., VAAKATHAANAM,
KOTTAYAM DIST - 686 538.

2. SURESH KUMAR, AGED 49 YEARS,
S/O.VASU KESAVAN, KOCHUVEETIL,
NALUNNAKKAL P.O., VAAKATHAANAM,
KOTTAYAM DIST - 686 538.

BY ADV. SRI.C.N.SAMEER

RESPONDENT(S):

1. STATE OF KERALA,
REP. BY PRINCIPAL SECRETARY, DEPARTMENT OF HOME,
SECRETARIAT, TRIVANDRUM - 695 001.

2. STATE OF KERALA,
REP. BY PRINCIPAL SECRETARY DEPARTMENT OF PUBLIC WORK,
SECRETARIAT, TRIVANDRUM - 695 001.

3. STATION HOUSE OFFICER,
VAAKATHAANAM POLICE STATION, KOTTAYAM DIST. 686 538.

4. INSPECTOR OF POLICE,
VAAKATHAANAM CIRCLE, KOTTAYAM DIST - 686 538.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: TRUE COPY OF CERTIFICATE OF REGISTRATION OF 1ST PETITIONER'S
 VEHICLE DATED 30.11.2011**
- EXT.P-2: TRUE COPY OF INSURANCE POLICY OF 1ST PETITIONER'S VEHICLE
 DT.30.10.14**
- EXT.P-3: TRUE COPY OF FITNESS CERTIFICATE OF 1ST PETITIONER'S VEHICLE
 DT.25.11.14**
- EXT.P-4: TRUE COPY OF THE DRIVING LICENSE OF THE 2ND PETITIONER
 DATED 4.9.14**
- EXT.P-5: NEWS PUBLISHED IN MALAYALA MANORAMA DAILY DATED 9.9.2015**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 28270 of 2015

Dated this the 17th day of September, 2015

J U D G M E N T

Petitioners approached this Court for release of the first petitioner's vehicle bearing Registration No.KL 33 C 5864. Petitioners submit that this was taken into custody by respondents 3 and 4. The above vehicle is not involved in any crime.

2. This Court is of the view that the petitioners shall approach the competent jurisdictional Magistrate either by filing an application under Section 451 of Cr.P.C. or by filing an application under Section 457 of Cr.P.C. If such application is filed before the competent jurisdictional Magistrate, the same shall be considered by the Magistrate within a period of two weeks from the date of receipt of a copy of this judgment, after notice to the petitioners.

This writ petition is disposed of as above.

sd/-

MBS/

A.MUHAMED MUSTAQUE, Judge.

