

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 31ST DAY OF JULY 2017/9TH SRAVANA, 1939

CrI.MC.No. 4821 of 2017

**CRIME NUMBER NOT KNOWN OF THENJIPALAM POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONER(S) :

**HARSHAD LALU,
S/O. MOOSAKOYA, AGED 37 YEARS,
KADIYARATHU HOUSE, FAROOK COLLEGE P.O.,
RAMANATTUKARA VILLAGE, KOZHIKKODE TALUK,
KOZHIKKODE DISTRICT (OWNER OF JCB BEARING
REGISTRATION NO.KL-02 AC-7588).**

BY ADV. SRI.JITHIN VARGHESE

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HONOURABLE HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE VILLAGE OFFICER,
CHELAMBRA VILLAGE, MALAPPURAM DISTRICT - 679 575.**
- 3. THE SUB INSPECTOR OF POLICE,
THENJIPALAM POLICE STATION,
MALAPPURAM DISTRICT - 679 575.**
- 4. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT - 679 575.**

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 31-07-2017, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE 1 TRUE COPY OF THE MAHASSAR DATED 31.05.2017
PREPARED BY THE SECOND RESPONDENT IN
CONNECTION WITH THE SEIZURE OF VEHICLE OF
PETITIONER.**

**ANNEXURE 2 TRUE COPY OF THE ORDER OF THIS HONOURABLE COURT
DATED 20.03.2017 IN CRL.M.C.NO. 1208 OF 2017.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE

Msd.

K. ABRAHAM MATHEW, J.

Crl.M.C. No. 4821 of 2017

Dated this the 31st day of July, 2017

ORDER

Petition filed under Section 482 Cr.P.C.

2.The petitioner claims to be the owner of a vehicle seized by the second respondent for the alleged violation of the provisions in the Act 28 of 2008. The complaint is that the seizure has not been reported to the magistrate. He prays that direction may be issued to the second respondent to produce the vehicle before the magistrate and direct the magistrate to release the vehicle to him.

2.Heard the learned counsel for the petitioner and the learned Public Prosecutor.

3.The seizure should have been reported immediately. That was not done. The officer concerned shall immediately report the matter to the learned magistrate having jurisdiction.

..2..

In the result, the Crl.M.C. is disposed of directing the officer concerned to report seizure of the vehicle to the judicial magistrate having jurisdiction within four days from the date of receipt of a copy of this order. If the petitioner files an application under Section 451 Cr.P.C., the learned judicial magistrate may dispose it of after obtaining report from the Station House Officer concerned.

Sd/-
K. ABRAHAM MATHEW
JUDGE

bka/-