

Joseph Vs. State of Kerala

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Court : Kerala

Decided On : Jan-31-2013

Judge : Honourable Mr.Justice T.R.Ramachandran Nair

Appellant : Joseph

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR THURSDAY, THE 31ST DAY OF JANUARY 2013 11TH MAGHA 193 CrI.MC.No. 506 of 2013 ()
----- CRIME NO. 3297/2012 OF ERNAKULAM CENTRAL POLICE STATION , ERNAKULAM DISTRICT -----
PETITIONER(S)/ACCUSED NO.1 AND
2.----- 1. JOSEPH, S/O.JEROM, AGED 3 YEARS, PALLATH HOUSE,ERAMAM,MUPPATHADAM P.O., KADUNGALLOOR VILLAGE,ALUVA TALUK, ERNAKULAM (DRIVER OF LORRY BEARING REGISTRATION NO.KL-7 K.1998) 2. SHIHAB, S/O.ABDUL RAHIMAN, AGED 3 YEARS, CHERUVELI AKATHOTTU,KUNJUNNIKKARA,ULIYANNOOR P.O., ALUVA, (OWNER OF LORRY BEARING REGISTRATION NO.KL-7 K.1998) BY ADV. SRI.P.M.ZIRAJ RESPONDENT/COMPLAINANT AND STATE:
----- STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM THROUGH THE SUB INSPECTOR OF POLICE,

ERNAKULAM CENTRAL POLICE STATION, ERNAKULAM DISTRICT, PIN

017. BY PUBLIC PROSECUTOR SMT.V.H.JASMINE THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: sts T.R. RAMACHANDRAN NAIR, J.

~~~~~ Criminal M.C.No.506/2013  
~~~~~ Dated this the 31st day of January, 2013

ORDER

The petitioners have approached this Court contending that the vehicle has been seized by invoking the provisions under the Mines and Minerals (Development and Regulation) Act, 1957.

2. The learned Public Prosecutor on getting instructions submitted that the proceedings have been initiated under the Kerala Protection of River Banks and Regulation of Removal of Sand Act and a report of seizure has been filed only before the District Collector. As the provisions of the Mines and Minerals (Development and Regulation) Act do not apply, no further orders are called for in the criminal miscellaneous case. The criminal miscellaneous case is disposed of without prejudice to the right of the petitioners to avail other remedies. Sd/- (T.R. Ramachandran Nair, Judge.) ms \\True copy// P.A. to Judge

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