

Thanveer. a vs 1. the Narcotic Drug and Psychotropic Substances Disposal Committee

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Court : Kerala

Decided On : Feb-14-2024

Judge : Honourable Mr.Justice K. Babu

Appeal No. : WP(C)/43379/2023

Appellant : Thanveer. a

Respondent : 1. The Narcotic Drug and Psychotropic Substances Disposal Committee

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE K. BABU WEDNESDAY,
THE 14TH DAY OF FEBRUARY 2024 / 25TH MAGHA, 1945 WP(C) NO.
43379 OF 2023 CRIME NO.54/2018 OF Iritty Excise Range Office,
Kannur AGAINST SC 39/2019 OF SPECIAL COURT (NDPS ACT
CASES), VADAKARA PETITIONER: THANVEER. A, AGED 29 YEARS
ACHUMMADAKATH (H),S KAMBIL, KOLACHERRY, KANNUR (DIST),
PIN - 670601 BY ADVS. V.S.MANSOOR AKHIL BINOY
RESPONDENTS: 1 THE NARCOTIC DRUG AND PSYCHOTROPIC

SUBSTANCES DISPOSAL COMMITTEE EXCISE DIVISION OFFICE,
KANNUR DISTRICT REPRESENTED BY CHAIRMAN DEPUTY EXCISE
COMMISSIONER KANNUR DISTRICT, PIN - 670002 2 THE EXCISE
INSPECTOR, EXCISE RANGE OFFICE IRITTY, KANNUR DISTRICT,
PIN - 670703 BY SRI.G.SUDHEER-PUBLIC PROSECUTOR THIS WRIT
PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14.02.2024, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING: WP(C) NO. 43379 OF 2023 2 K.BABU, J
----- W.P(C) No.43379 of 2023
----- Dated this the 14th day of
February, 2024

J U D G M E N T

The prayers in this Writ Petition are as follows:

i) Call for the records leading to Exhibit-P8 order and quash the same by Writ of Certiorari. ii) To issue a Writ of Certiorari or order or direction commanding the respondents to release the car Maruti Suzuki Alto 800 Car bearing No.KL-59-S-6637 to the petitioner. iii) Such other reliefs as this Honble Court may deem fit and proper in the facts and circumstances of the case.

2. Heard both sides.

3. The learned counsel for the petitioner confined the reliefs to permit the petitioner to make an application under Section 451 of Cr.P.C before the Trial Court.

4. The petitioner is at liberty to file an application under

Section 451 of Cr.P.C before the Trial Court. If the petitioner makes an application as stated above, the Trial Court shall dispose of the same within a period of two weeks from thereon. The Writ Petition is disposed of as above. Sd/- K.BABU JUDGE ab WP(C) NO. 43379 OF 2023 3 APPENDIX OF WP(C) 43379/2023 PETITIONER EXHIBITS Exhibit P1 A TRUE PHOTOCOPY OF THE

REGISTRATION CERTIFICATE ISSUED TO THE PETITIONER IN RESPECT OF
VEHICLE NO:- KL-59-S-6637 Exhibit P2 A TRUE PHOTO COPY OF THE
COMPLAINT IN CRIME NO: 54/2018 OF EXCISE RANGE OFFICE, IRITTY
Exhibit P3 A TRUE PHOTOCOPY OF ORDER DATED 27/11/2018 IN CRL.MP
NO: 1107/2018

Exhibit P4 A TRUE PHOTOCOPY OF THE INTERIM ORDER DTD:Exh

(NDPS CASE), VADAKARA Exhibit P7 A TRUE PHOTOCOPY OF THE
APPLICATION DATED:- 10/08/2020 FILED BY THE PETITIONER BEFORE THE
1ST RESPONDENT

Exhibit P8 A TRUE COPY OF THE ORDER DATED:-Exhibit P9

NO: 1146/2023 DTD: 24/11/2023 RESPONDENTS EXHIBITS: NIL

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