

Rahul, vs the Inspector of Police,

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SooperKanoon Citation : sooperkanoon.com/1341447

Court : Kerala

Decided On : Feb-28-2023

Judge : Honourable Mrs. Justice Anu Sivaraman

Appeal No. : WP(C)/6329/2023

Appellant : RAHUL,

Respondent : The Inspector of Police,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN
TUESDAY, THE 28TH DAY OF FEBRUARY 2023 / 9TH PHALGUNA,
1944 WP(C) NO. 6329 OF 2023 PETITIONER: RAHUL, AGED 29
YEARS SON OF SASI, AMBATTUPARAMBIL, MELUR P.O., POOLANY
VILLAGE, CHALAKKUDY TALUK, THRISSUR DISTRICT (OWNER OF
TORUS LORRY BEARING REGISTRATION NO.KL-17-A-9412), PIN -
680311 BY ADVS. P.M.ZIRAJ IRFAN ZIRAJ RESPONDENTS: 1 THE
INSPECTOR OF POLICE, PUTHUKKAD POLICE STATION, THRISSUR
DISTRICT-, PIN - 2 THE DISTRICT GEOLOGIST, DEPARTMENT OF
MINING AND GEOLOGY, THRISSUR DISTRICT, PIN - 680020 3 THE
SUB REGIONAL TRANSPORT OFFICER, CHALAKKUDY, THRISSUR

DISTRICT, PIN - 680307 BY SRI.APPU.P.S-GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28.02.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 28th day of February, 2023 This writ petition is filed seeking directions to the first respondent to report the seizure of vehicle of the petitioner bearing registration No.KL-70-A-9412 before the concerned jurisdictional Magistrate, so that the petitioner can be enabled to make an application for the release of the vehicle in accordance with law.

2. It is submitted by the learned counsel for the

petitioner that the vehicle was seized by the first respondent on 10.02.2023, on an allegation of excess transportation of granite building stone. It is submitted that in case the 2nd respondent forwards the vehicle to the competent Magistrate, the petitioner would be able to approach the said Magistrate for interim release of the vehicle.

3. The learned Government Pleader submits that

the 1st respondent has already forwarded the records of the seizure of the vehicle to the 2nd respondent and that it is for the 2nd respondent to take further action in that regard. In view of the fact that the petitioner does not intend to compound the offence, there will be a direction to the 2nd respondent to immediately forward the records of the seizure to the jurisdictional Magistrate, at any rate within three days from the date of receipt of a copy of this judgment to enable the petitioner to make an application for release of the vehicle. Sd/- ANU SIVARAMAN JUDGE
SSK/28/02 APPENDIX PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF THE VEHICLE OF PETITIONER Exhibit- P2 TRUE COPY OF THE GOODS PERMIT OF THE VEHICLE OF PETITIONER DATED 22.3.2021 Exhibit- P3 TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 17.1.2023 IN WPC NO.1459 OF 2023 SSK //TRUE COPY// PA TO JUDGE

