

Sabir Vs The State of Kerala,

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Court : Kerala Orders

Decided On : Feb-20-2023

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : Crl.MC/9287/2022

Appellant : Sabir

Respondent : The State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN MONDAY, THE 20TH DAY OF FEBRUARY 2023 / 1ST PHALGUNA, 1944 CRL.MC NO. 9287 OF 2022 PETITIONER: SABIR, AGED 28 YEARS S/O ABU, VELAPPILAKAYIL HOUSE, THANNITHURA, VELLIYANKODE, PONNANI, PONNANI TALUK, MALAPPURAM DISTRICT 679579, PIN - 679579 BY ADVS. CHERIAN MATHEW POOTHICOTE GEORGE G.POOTHICOTE AJITH VILLY GEORGE RESPONDENT: THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031 OTHER PRESENT: PP M.C.ASHI THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 20.02.2023, THE COURT ON THE SAME DAY

PASSED THE FOLLOWING:

ORDER

Dated this the 20th day of February, 2023

This Crl.M.C. is filed apprehending that the petitioner's vehicle, seized in connection with Crime No. 178 of 2022 of Perumpadappu Police Station registered for the offences punishable under Sections 20(b)(ii)A and 22(b) of the Narcotic Drugs and Psychotropic Substances Act, will be confiscated and sold by the Drug Disposal Committee.

2. Learned Public Prosecutor submits on instructions that no

decision has been taken by the Drug Disposal Committee and further action in terms of Section 52A of the NDPS Act will be taken only after receipt of FSL report. In view of the above submission, the petitioner's apprehension stands allayed. The Crl.M.C. is closed reserving the petitioner's right to approach the appropriate court/forum. In order to provide such opportunity to the petitioner, the Drug Disposal Committee is directed not to sell the petitioner's vehicle for one month. Sd/-

V.G.ARUN JUDGE sb APPENDIX OF CRL.MC 9287/2022 PETITIONER ANNEXURES Annexure A1 A TRUE COPY OF THE FIR NO. 178/2022 DATED MALAPPURAM Annexure A2 A TRUE COPY OF DECISION HELD BY THE HON'BLE NDPS DISPOSAL COMMITTEE HAS BEEN PRODUCED HERewith AND MARKED DATED 7/11/2022

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