

Abdhul Rasheed vs State of Kerala

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Court : Kerala

Decided On : Jul-29-2021

Judge : Honourable Mr. Justice Ashok Menon

Appeal No. : Crl.MC/2994/2021

Appellant : Abdhul Rasheed

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ASHOK MENON
THURSDAY, THE 29TH DAY OF JULY 2021 / 7TH SRAVANA, 1943
CRL.MC NO. 2994 OF 2021 AGAINST THE CONDITION NO 5(f) IN A1
IN ORDER DATED 28/4/2021 IN C.M.P NO:

PETITIONER/: ABDHUL RASHEED, AGED 35 YEARS, S/O. ALIKUNI,
SHEFEEQMANZIL, NEELIKULAM MURI, KULASEKHARAPURAM
VILLAGE, KARUNAGAPPALLY, KOLLAM. BY ADV M.R.SASITH
PANICKER RESPONDENTS/COUNTER PETITIONERS: 1 STATE OF
KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH
COURT OF KERALA, PIN - 682 031. 2 THAHASILDAR, OFFICE OF
THAHASILDAR KARUNAGAPPALLY, KOLLAM PIN- 690 518. OTHER

PRESENT: SRI.T.R.RENJITH - PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 29.07.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Dated this the 29th day of July, 2021 The petitioner had filed an application under Section 457 Cr.P.C as a registered owner of vehicle No. KL-55-B-2059, before the Judicial First Class Magistrate Court, Karunagappally, for release of the vehicle and the application was allowed by the learned Magistrate on certain conditions.

2. The petitioner is aggrieved with condition (f) which states that the original documents shall be kept in custody of court and petitioner shall be issued the true copy of the same

for all legal and practical purposes. Aggrieved by this condition (f) the petitioner has approached this Court for relief. The petitioner states that the vehicle has to be used and the possession of the vehicle without the original documents may prove futile. Under the circumstances, I find that the original documents shall be returned to the petitioner and a certified copy shall be obtained and replaced. The original documents shall be produced as and when called for. The Crl.M.C is allowed as above. Sd/- ASHOK MENON JUDGE NR/29/07/2021 APPENDIX PETITIONER'S ANNEXURE Annexure A1 TRUE COPY OF THE ORDER IN CMP NO. 917/2021 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KARUNAGAPPALLY. Annexure A2 TRUE COPY OF THE ORDER IN CRL MC NO. 538/2020 OF Annexure A3 TRUE COPY OF THE ORDER IN CRL MC NO. 3429/2020 OF //TRUE COPY// PA TO JUDGE

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