

IN THE COURT OF THE ADDL. SESSIONS JUDGE-I, KOLLAM

Present:- Smt. P. Mayadevi, Addl. Sessions Judge-I, Kollam

Thursday, the 29th day of September, 2022/ 7th day of Aswina, 1944.

Criminal. M.P. No. 1632/2022

(Crime No.1249/2022 of Chadayamangalam Police Station.)

Petitioner : Pathumma Beevi, W/o.Muhammad Basheer,
Noufiya Manzil, Kuriyodu(P.O),
Chadayamangalam, Kollam.

By Adv: Sri.Jiju Babu.S.

Respondent : State of Kerala represented by the Station
House Officer, Chadayamangalam through
the Special Public Prosecutor, Kollam.

This petition coming on for hearing before me on 29/09/2022 and on the same day the court passed the following:-

ORDER

This is a petition filed U/s. 451 Cr.P.C for the release of the vehicle.

2. The petitioner is the power of attorney holder of the registered owner of the autorickshaw bearing Regn. No. KL-24-Q-9246. The letter of authorization given in favour of the petitioner also produced. The case of the prosecution is that, the said vehicle was used for the commission of the offence by the accused in Crime No. 1249/2022 of the Police Station, Chadayamangalam, u/Ss. 363, 366 and 376(2)(n) of the Indian Penal Code, 1860 and Sections 4 r/w 3(a), 6 r/w 5(l) and 8 r/w 7 of the Protection of

Children from Sexual Offences Act, 2012. The vehicle was taken into custody by the police and produced before the Court as T.R. No. 564/2022. It is prayed that, further retention of the vehicle being no longer required, the same be released.

3. Notice of the petition was given to the Special Public Prosecutor, who in turn filed a report from the Station House Officer concerned opposing the same.

4. Heard both sides.

5. On perusal of the materials on records, it shows that, the petitioner is the R.C owner of the vehicle. With respect to the repetition of the crime, there is a specific condition can be imposed by this Court as and when dealing with the bail application. Moreover, if the vehicle is let in the police station premises by exposing sun and light, it will reduce the utility of the vehicle. So, considering the entire aspects, I am of the view that, rather than allowing the vehicle to get ruined by getting exposed to sunlight and rain, it is only appropriate to release it to the registered owner by imposing conditions.

In the result, the Criminal M.P is allowed on the following conditions: -

- (i). The petitioner shall execute bond for Rs. 2,00,000/- (Rupees two lakhs only), with two solvent sureties, each for the like sum.
- (ii). The petitioner shall produce the vehicle as and when directed by this Court.
- (iii). The petitioner shall not sell or hire the vehicle without the prior permission of this Court.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced in open Court on this the 29th day of September, 2022.

Sd/-
P. Mayadevi
Addl. Sessions Judge-I

Typed by : Latha. L.
Compared by : Asha Joseph.