

IN THE COURT OF SESSION, KASARAGOD DIVISION

Present:-Sri.Vinayaka Rao.R, Sessions Judge
Monday, the 01st day of June, 2026

Cr1.M.P.No.02 OF 20206 in S.C.No.202/2025
(Crime No.44/2025 of Manjeshwaram Police Station)

Between:-

Mohammed Niyaz, aged 23 years
S/o Mohammed Hanief,
R/at Bengre, Kasaba,
Mangalore, Karnataka
D.K District-575001

petitioner/
Accused No.3

AND

State: Station House Officer,
Manjeshwaram Police Station
Rep. by Public Prosecutor,
Kasaragod.

Respondent/
Complainant

Petition filed by the petitioner u/s. 497 of BNSS
to release the Driving License of the petitioner.

Petition presented on : 18.05.2026

This Petition coming on this day for hearing
before me in the presence of Sri.Ajith.K, Advocate
for the Petitioner and the Pubic Prosecutor for the
Respondent(State); the Court passed the following:

O R D E R

This is a petition filed by the counsel for the accused for release of the driving license of the petitioner which was seized at the time of detecting the offence in the above case.

2. The report is filed by the Inspector of Police of Manjeshwar police station.

3. Heard the counsel for the petitioner and the public prosecutor.

4. The following point arises for consideration by this court.

Whether the above petition can be allowed or not?

5. The above case has been charge-sheeted by the Sub-Inspector of Police, Manjeswar Police Station, against the petitioner for offences punishable under Sections 20(b)(ii)(B) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

6. The prosecution case is that on 14.01.2025 at about 4:15 p.m., the petitioner herein, along with the other accused, was found in possession of 1.16 kilograms of ganja while travelling in an autorickshaw bearing Registration No. KA-19-AC-231 at a place called Theemkoor in Vorkady Village. According to the prosecution, the petitioner and the co-accused were apprehended at the spot and arrested, and the contraband substance along with the said vehicle was seized by the police.

7. According to the prosecution, the driving license of the petitioner was also seized by the police at the time of detection of the alleged offence.

8. Eventhough the report is filed contending that the driving license may not be released and in case driving license is released the petitioner may again spread the business of intoxicating substances by aiming the children, I find that there is no legal bar in releasing the driving

license to the petitioner subject to conditions to be imposed.

9. In view of above findings, I find that the driving license seized from the petitioner at the time of detection of the offence can be ordered to be released to the petitioner subject to conditions.

In the result, the above petition is allowed subject to the following conditions:

1. The petitioner shall apply for and obtain a certified copy of the driving licence and produce the same before this Court before the original driving licence is released to him.
2. The petitioner shall execute a bond for Rs.10,000/- with two solvent sureties for the like sum each undertaking to produce the original driving licence before this Court as and when directed.
3. The petitioner shall not destroy, damage, alter, or tamper with the original driving

license, nor shall he use it for any illegal or unlawful activities.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 1st day of June, 2026.

**Sd/-
SESSIONS JUDGE
KASARAGOD.**

//True Copy//

Typed by : Reshmi.P
Compared by : Sajith

Fair/Copy of Order in
Crl.M.P. No. 02/2026
S.C.No.202/2025
Crime No.44/2025 of
Manjeshwar Police Station
Dated: 01.06.2026