

**IN THE COURT OF THE ADDL. SESSIONS JUDGE-I, MAVELIKARA**

**Present: Smt.V.G.Sreedevi, Addl. Sessions Judge-I**

**Wednesday, the 04<sup>nd</sup> day of February, 2026/15<sup>th</sup> Magham,1947**

**Crl.MP No.2835/2025 in SC 1074/2025**

(Filed on:20.12.2025)

(Crime No. 33/2025 on the file of the Vallikunnam Police Station)

**Petitioner** : Usha.Y., aged 52, W/o Vishad, residing at  
Chalil, Azheekkal, Azheekkalthura.P.O,  
Kollam District  
(Legal Heir of Late. Vishnu.V)  
(By Adv.Alulu Rajan)

**Respondent** : State of Kerala, represented by the  
Sub Inspector of Police,  
Vallikunnam Police Station,  
represented by the Addl. Public Prosecutor,  
Mavelikara.  
(By Adv. P.V.Santhosh Kumar,  
Addl. Public Prosecutor, Mavelikara)

This petition have been finally heard on 02.02.2026 and the court on the 04.02.2026 passed the following.

**ORDER**

This petition is filed under Sec.497 of BNSS for interim custody of vehicle allegedly involved in Crime No.33/2025 of Vallikunnam Police Station.

2. In the petition, it is alleged as follows:- Petitioner is the mother and sole legal heir of one Vishnu V. who was the registered owner of a Maruti Baleno car bearing Reg.No. KL-02-BF-0151 involved this case, alleging offence under the NDPS

Act. Deceased Vishnu earlier approached the Hon'ble Sessions Court, Alappuzha with a petition ie., CrI.M.P.418/2025, seeking interim custody of the vehicle. The said petition was allowed on 25.03.2025 on conditions, but before the release of the vehicle, Vishnu committed suicide on 10.04.2025. Death Certificate of Vishnu has been produced. The petitioner has obtained legal heirship certificate from Tahsildar, Karunagappally, proving that she is the mother and legal heir of deceased Vishnu. Now, the petitioner, approached this Court for interim release of the vehicle. The vehicle is being kept in the open premises of Vallikunnam Police Station, exposed to sun and rain. If the vehicle is kept for long there, it will be damaged and will become useless. The petitioner is ready to abide the conditions which will be imposed by this Court, and she is ready to produce the vehicle as and when directed. Hence, prayed for interim release of the vehicle.

3. The learned Additional Public Prosecutor opposed the petition. Along with the objection, a report of the Inspector of Police, Vallikunnam was filed. It is apprehended that if the vehicle is released, there is every chance for altering the nature of the vehicle, thereby, the witnesses could not be able to identify the vehicle. The vehicle is suspected to be used for

transportation of MDMA by the third accused. Therefore, the petition is only to be dismissed.

4. Heard both sides.

5. The only point that arises for consideration is:

***Can the vehicle be released on interim custody, as prayed for?***

6. The point :- As per the prosecution case, on 10.01.2025, at 03.05 a.m., accused persons 1 to 4 were found keeping 16 gms of MDMA in four zip lock plastic covers at the sit-out of an uninhabited house belongs to one Mohanan, near Kavullathil temple, for the purpose of sale. On seeing the Police, they ran away from the spot. Accused Nos.5 to 7 alleged to have provided shelter to the second accused in their houses so as to prevent arrest and the 8<sup>th</sup> accused alleged to have given support to the 1<sup>st</sup> accused for escaping from the clutches of law. Two cars, including this one, ie. Maruti Baleno car with Reg.No.KL-02-BF-0151 and a motorcycle were seen in front of the place of occurrence. Those were taken into custody by the police.

7. Petitioner is the mother of one Vishnu who was the registered owner of the said vehicle. According to the petitioner, the said Vishnu filed Criminal M.P.418/2025 before the Hon'ble Sessions Judge, Alappuzha seeking interim release of the vehicle and the said petition was allowed on 25.03.2025,

on conditions. Thereafter, Vishnu committed suicide and the vehicle could not be released. Hence, the petitioner, mother of Vishnu approached this Court for interim release of the vehicle.

8. On going through the final report, it could be seen that Vishnu is not arrayed as an accused in this case. His vehicle was seized on suspicion that it was used for the commission of the offence. It is true that Criminal M.P.418/2025 was allowed by the Hon'ble Sessions Judge, Alappuzha, on conditions.

9. The apprehension expressed by the petitioner appears to be genuine. If the vehicle is kept idle in the open premises of the Police Station exposed to sun and rain, it will become useless. The learned Sessions Judge has already allowed the petition to release the vehicle on executing bond along with other conditions, but before the release of vehicle, Vishnu committed suicide, and now his mother, his legal heir approached this Court for interim custody of the vehicle. The petitioner is ready to furnish sureties and offered to produce the vehicle as and when required. Hence, I am inclined to allow the petition, on conditions. Therefore, this point is found in favour of the petitioner/first accused.

**10. In the result,**

This petition is allowed in terms of the following conditions:-

1. The Maruti Baleno car bearing Reg. No. KL-02-BF-0151 is ordered to be released to the petitioner for interim custody on executing a bond for ₹5,00,000/- with two solvent sureties each for the like sum.
2. The petitioner shall produce the Registration Certificate, valid Insurance Certificate as well as tax paid receipt in original for perusal and copies of the same are to be produced.
3. The petitioner shall undertake that the vehicle should be produced before the Court or the Investigating Officer as and when required.
4. The petitioner shall produce two photographs of the car showing its registration number, company name and description before executing bond.
5. The petitioner shall file an affidavit, undertaking that no alteration or modification shall be made to the vehicle and it shall not be involved in any other offence, while on interim custody.

*(Dictated to the Confidential Assistant transcribed and typed by her, corrected by me and pronounced in open court on this the 4<sup>th</sup> day of February, 2026).*

**Sd/-**

**V.G.Sreedevi  
Additional Sessions Judge-I**

**Appendix:Nil**

**Id/-**

**Additional Sessions Judge-I**