

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I
KAYAMKULAM**

Present:-Seethalakshmy Y, Judicial Magistrate of First Class - I
Dated this 1st day of June, 2026.

CMP No. 9/2026 in Kayamkulam PS Cr. 1952/2025

Petitioner : Salahudheen, Aged 47 years, S/o.
Usmankutty, Mukkuval Chirayil,
South Kochu Muri, Krishnapuram
Village.
(By Adv. Shefi S)

Counter Petitioner : State represented by
SHO of Police, Kayamkulam in Cr.
1952/2025
(By Sri. Arun P, A.P.P. Sr. Grade,
Kayamkulam)

This petition having been heard on 01.06.26 and this Court on the same day delivered the following :

ORDER

Petition filed under Section 497 of the Bharathiya Nagarika Suraksha Sanhita 2023.

1. The averments in the petition in brief are as follows:- The petitioner is the husband of the absolute owner of a vehicle bearing Registration No. KL 29 N 7995 (YAMAHA FACINO BS IV), Engine NO.E3Y3E0302483, Chasis No. ME1SED12CHO122889) seized by Kayamkulam Police in Crime No. 1952/2025 and the original owner is no more. Further if the vehicle is kept in the police station without using it the same may get destroyed. Hence the petition.
2. The SHO, Kayamkulam has filed report stating that if the said petition is allowed, there is every chance that he will alienate the vehicle.
3. Heard learned Assistant Public Prosecutor and learned counsel for petition.
4. The following points arise for consideration:-
 1. Whether the petition is liable to be allowed?

2. What is the order?

5. **Point No. 1:-** The vehicle sought to be released on interim custody is produced before the court as TR 593 /2025. The copy of insurance certificate and RC produced along with the petition would show that the petitioner is the husband of original RC owner of the vehicle. Copy of death certificate of original RC owner produced. Petitioner also filed affidavit showing he is one of the legal heir and is thereby entitled to custody of the vehicle. In the circumstances, I am of the view that the vehicle can be released to the interim custody of the petitioner with conditions.

6. In these circumstances I find that the petition can be allowed. This point is answered in favour of the petitioner.

7. **Point No. 2:-** In light of the findings in point no. 1 the petition is allowed as follows:-

1. *The vehicle having registration no. KL 29 N 7995 released to the interim custody of the petitioner on his executing a bond for Rs. 50,000/- (Rupees fifty thousand only) with two solvent sureties each for a like sum.*
 2. *The petitioner shall not sell, transfer the possession of or otherwise alienate the vehicle without the permission of the court.*
 3. *The petitioner shall produce the vehicle before the court as and when directed.*
 4. *The petitioner shall not cause any damage to the vehicle.*
 5. *The petitioner shall produce the certified copy of Registration Certificate and, valid insurance paper with its true copy for verification.*
 6. *The petitioner shall produce the photographs of the vehicle from all angles. The petitioner shall also produce photographs showing the engine number as well as the chassis number. The petitioner shall produce the soft copy of the photographs in a compact disc with a certificate u/s. 65 B of the Indian Evidence Act.*
 7. *The property clerk is hereby directed to prepare a detailed Mahazar.*
8. In the result, the petition is allowed on the above mentioned conditions.

(Pronounced by me in the open Court on 1st day of June, 2026)

JUDICIAL FIRST CLASS MAGISTRATE - I