

**IN THE SPECIAL COURT FOR THE TRIAL OF NIA CASES,
ERNAKULAM**

Present: Sri. P.K. Mohandas, Judge for NIA Cases

Saturday the 22nd day of February, 2025/3rd Phalguna, 1946

Crl.M.P. 42/2025

in

SC No.02/2023/NIA

**Petitioner/
Accused No. 36** : Muhammed Hakeem, S/o. Moidheen
Kutti K.P, Kunnumpuram House,
Kondoorkara P.O, Palakkad.

By Adv. Sri. Wakarulislam.K.S.

Complainant/Respondent : National Investigation Agency, Kochi.

**Represented by Sri. Ajith Kumar.S
(Special Public Prosecutor, NIA) and
Sri. Sreenath.S. (Public Prosecutor,
NIA).**

This petition is coming on for hearing before me on 20.02.2025 and
the Court on 22.02.2025 passed the following:

ORDER

This is an application filed by the 36th accused to release the
vehicle No. KL-52-N-7404 to his brother.

2. According to the petitioner, this court has allowed his application for interim custody of vehicle No.KL-52-N-7404. As he is detained in prison, he could not personally take the custody of vehicle. He is ready to abide by the conditions that may be imposed by the court on releasing the vehicle to his brother.

3. The investigating officer filed objection stating that the affidavit holder is a third party and hence vehicle cannot be released to him.

4. I have heard counsel for the petitioner and learned Public Prosecutor.

5. This court already allowed the application filed by the petitioner u/s.451 of CrPC and directed release of the vehicle on satisfying the conditions stipulated in the order dated 16.01.2025. Now the petitioner has approached this court with an application to release the vehicle to his brother and he has filed an affidavit to that effect. As the petitioner is detained in prison in connection with the case, he could not take custody of the vehicle personally.

6. Considering the application filed by the petitioner and his affidavit and the fact that he is detained in prison in connection with the case, I am of the view that vehicle No.KL-52-N-7404 can be released to his brother Mr.Ahammed Kabeer, S/o.Moidheen Kutti. As directed in the

order dated 16.01.2025, the petitioner shall execute the bond and on production of the bond duly signed by the petitioner and complying with other conditions stipulated in the order, direction will be issued to the investigating officer to hand over the custody of vehicle to the brother of the petitioner. All other conditions in the order dated 16.01.2025 shall remain unaltered.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 22nd day of February, 2025.

Appendix: Nil

//True Copy//

Sd/-
P.K. Mohandas
Judge, Special Court for NIA Cases

Id/-
Judge, Special Court for NIA Cases
(By Order)

Sd/-
Sheristadar.