

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE – I,
N. PARAVUR**

Present:- Sri. Jayaraj M.P., Additional District & Sessions Judge – I
Saturday, the 22nd day of November, 2025/ 1st Agrahayana, 1947.

Crl. M.P. No.2831/2025 in S.C.No.797/2024

Petitioner/Accused:-

Nibin, aged 29 years, S/o.Narayanan, Kallikkat
House, Karaputhiyaroad, Kodungallur, Thrissur.

By Adv. Nireesh Mathew

Respondent:-

State of Kerala, represented by the Station House
House Officer, Aluva West Police Station.

By Adv. Hari N.K., Addl. Public Prosecutor,
N. Paravur.

This petition filed under Section 497 of the Bharatiya Nagarik
Suraksha Sanhita, 2023 to release the mobile phone of the petitioner on
interim custody.

This Petition coming on for hearing before me on 19.11.2025 and
the court on 22.11.2025 passed the following:-

ORDER

Petition filed under Section 497 BNSS.

2. Petitioner is A2 in S.C. No.797/2024 on the file of this court, arising out of Crime No.668/2023 of Aluva West police station. The offences alleged are punishable under Sections 22(c) and 29 of Narcotic Drugs and Psychotropic Substances Act.

3. According to the petitioner, when he was arrested, his iPhone 12 Pro was seized by the police from him. He seeks release of the same.

4. Notice given to the Public Prosecutor.

5. No objection filed.

6. Heard both sides.

7. The prosecution has not disputed seizure of iPhone 12 Pro mobile phone from the petitioner during arrest. The prosecution has no case that the mobile phone is required for forensic examination. Therefore, the objection raised is not a reason to reject the prayer of the petitioner. It was held by the Hon'ble High Court of Kerala in **Prince K V Vs. State of Kerala** (order dated 12.10.2023 in Crl.M.C. No.7803/2023) relying on **Sundar Bhai Ambalal Desai vs. State of Gujarat (2003 (2) KLT**

1089) that the properties/documents are to be released to the claimants without delay. Hence, this petition is allowed on following conditions :-

- 1) Petitioner/A2 shall execute bond for ₹1,50,000/- (Rupees One lakh and fifty thousand only) with two solvent sureties each for the like sum.
- 2) Petitioner shall produce photographs of the iPhone 12 Pro mobile phone, attested by him as the photographs of his phone released as per the order in this petition.
- 3) On execution of bond as above, the mobile phone will be released to the petitioner.
- 4) Petitioner shall produce the mobile phone as and when required by this court.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court, on this the 22nd day of November, 2025.

Jayaraj M.P.
Additional Sessions Judge – I

Appendix:- Nil.

Additional Sessions Judge-I

Typed by : Siji
Comp. By : Vijitha

Crl. M.P. No.2831/2025 in

S.C.No.797/2024

Order dated: 22.11.2025