

IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS,  
CHOTTANIKKARA

Present:Smt.Jinimol.P.J  
Judicial First Class Magistrate  
Chottanikkara

Dated this the 21<sup>st</sup> day of October, 2025

**CMP No. 729/2025**

**in**

**C.C.132/2025**

- Petitioner : Bharat Petroleum Corporation Limited, having its registered office at Bharat Bhavan, 4 & 6 Currimbhoy Road, Ballard Estate, Mumbai – 400038 and having its office at Kochi LPG Plant, Ambalamugal, Ernakulam, represented by its Territory Manager-LPG Cochin, Rajat Bansal.
- (By Adv.Joson Manavalan, Adv.Paulose.C.Abraham, Adv.V.Bharath Kumar, Adv.Ananthika Basant, Adv.Hannah Ryhana Fazly and Adv.Izhar Mohammed.
- Respondent : State represented by the Sub Inspector of Police, Ambalamedu Police Station in crime number 165/2025.
- (By Assistant Public Prosecutor, Chottanikkara)
- Offence : U/s.303(2) and 329(4) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

**ORDER**

This is an application filed by the petitioner to get release 40 LPG cylinder scraps to the interim custody u/s. 497 of Bharatiya Nagarik Suraksha Sanhita, 2023. The offence alleged against the petitioner is punishable under section 303(2) and 329(4) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. The petition averments in brief are as follows: Petitioner is the Territory Manager-LPG Cochin and he is the absolute and lawful owner of 40

LPG cylinder scraps (crushed cylinders) valued at approximately Rs.51,000/- seized and kept in custody pursuant to crime number 165/2025 of Ambalamedu police station. On 23<sup>rd</sup> March, 2025, the petitioner discovered a theft at its LPG Plant premises in Ambalamedu, Ernakulam District, wherein 116 cylinder scraps were unlawfully removed from the scrap yard at night by unknown miscreants. The said fact was reported by Arun Pandian, Filling Shed Officer of the petitioner, who immediately lodged a complaint with the Ambalamedu police station resulting in the above FIR. Out of 116 cylinders of the petitioner, the police have recovered 40 cylinders scraps from the accused. The seized cylinder scraps, though in crushed/scrap condition, form part of the petitioner's essential materials inventory. They are necessary for record-keeping, environmental compliance, audit, insurance claims and lawful disposal procedures as mandated by applicable regulations. The cylinder scraps were recovered by the police and are currently held in police custody as part of the investigation. However, extended detention and withholding of these cylinders will cause undue hardship to the petitioner due to the inherent perishable nature of the said goods. Hence the petition filed is for the release of the 40 LPG cylinder scraps in interim custody u/s.497 of Bharatiya Nagarik Suraksha Sanhita, 2023.

3. Copy served to the learned A.P.P.

4. Report is filed by prosecution and no objection from prosecution side.

5. Considering the contentions in the petition and supporting affidavit, I am satisfied that the petitioner is entitled to get the interim custody of the 40 LPG cylinder scraps. Hence petition is allowed on the following conditions.

1. The petitioner is directed to execute a bond of

Rs. 51,000/- (Rupees Fityone Thousand only) by two solvent sureties for the said sum.

2. An inventory along with photographs of the 40 LPG cylinder scraps signed by the petitioner, shall be prepared at the expense of petitioner and CD/Negatives with Bill of the same shall be produced.
3. The petitioner is directed to produce the 40 LPG cylinder scraps when required by the court.
4. The petitioner shall not alienate, transfer, encumber or sell the 40 LPG cylinder scraps except with the permission of this court.
5. The petitioner shall not use the said 40 LPG cylinder scraps for the commission of any offence.

(Dictated to the Confidential Assistant, typed by her in Office Computer, corrected and Pronounced by me in open court on this the 21<sup>st</sup> day of October, 2025)

Sd/-  
Judicial First Class Magistrate  
Chottanikkara

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