

**IN THE COURT OF THE JUDICIAL FIRST CLASS
MAGISTRATE-III, N.PARAVUR**

Present:- Smt. Sanitha.M.C., Judicial First Class Magistrate-III

Thursday, the 14th day of August, 2025/ 23rd Sraavanam, 1947

**C.M.P. 3437/2025 In C.C 12/2025(Cr. 303/2024 of Varapuzha
Police Station)**

Petitioner : Dheenraj, aged 32 years, S/o Jayan,
Varnam House, Panakkattupalli Road,
Thammanam, Anjumuri,
Ernakulam-682032.

(By Adv.Amaljith C.Anu & Sarun .M.S)

Counter-Petitioner : .1.State-represented by the Assistant
Public Prosecutor.
2. State-represented by Station House
Officer, Varapuzha P.S in Cr. 303/2024
(By A.P.P. Gr - II, JFCM-III, North
Paravur)

O R D E R

1. This is a petition filed u/s. 497 of BNSS, 2023 for release of the ONEPLUS mobile phone seized by Varapuzha Police in the above crime and is produced before the court as T No.217/2024. The offence alleged against the accused are 15(4),19 of Kerala Anti-Social Activities(Prevention) Act 2007. According to the petitioner, he is the owner of the said articles. Hence this petition, seeking release of these articles to his custody, during pendency of the trial.
2. Investigating Officer, S.I of Police, Varapuzha has filed a report stating that appropriate order may be passed.
3. Heard both sides and perused all relevant records.

4. Point for consideration

Is petition is allowable ?

5. Point:-

Petitioner is the accused in this case. The offence alleged against the accused U/s.15(4),19 of Kerala Anti-Social Activities(Prevention) Act 2007. The ONEPLUS mobile phone was seized by the police from the accused, it is his personal property.

6. Hence in the interest of justice, I am allowing this petition. Petitioner can be given interim custody of mobile phone of ONEPLUS company till the disposal of the case on the following conditions:

a)Petitioner shall execute bond for Rs.10,000/- (Rupees Ten thousand only)

b)The petitioner shall produce the document to prove the ownership of ONEPLUS mobile phone.

c) Petitioner shall cause to take photographs of the ONEPLUS mobile phone. The photographs shall be attested by the petitioner.

d) The petitioner shall not alter, transfer or otherwise dispose off the ONEPLUS mobile phone during the pendency of the trial.

e) The petitioner shall produce the ONEPLUS mobile phone if required by the court to do so.

f) The petitioner shall not use the ONEPLUS mobile phone for committing any offence.

Typed, corrected and pronounced by me in open court on this the 14th day of August, 2025.

Sd/-

**Judicial First Class Magistrate - III
North Paravur**

//True copy//

**Judicial First Class Magistrate - III
North Paravur**

