

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,
TALIPARAMBA**

Present: Sri. Anuraj.M.V.,
Judicial First Class Magistrate.

Dated this the 17^h day of March, 2026

C.M.P 7701/2025

Petitioner : Muhammed Ashraf, S/o Muhammed, Parappurath
(H), Neduvode, Alakode amsom, Kannur.
(By Adv. Drishya Krishnan.P.P.)

Vs.

Respondent : SHO, Alakode Police Station
(By APP, Taliparamba.)

O R D E R

This is a petition filed by the petitioner u/s. 503 BNSS.

2. The case of the petitioner is that the accused cheated him and dishonestly induced him. As per the inducement, he deposited the amount of Rs. 1,82,700/- from the petitioner's bank account to the account of the accused. Thereafter, the petitioner approached the National Cyber crime reporting portal and Rs. 20,300/- was seized as per the complaint made by the petitioner to the NCRP. Now the petitioner filed to withdraw that amount.

3. The SHO Alakode police station filed report.

4. Heard both sides.

5. It was contended by the prosecution that the amount which is stated by the petitioner was seized from the account of the accused and it was submitted to

the court under section 106 BNSS. It is imperative to note that no other person claimed the amount. Moreover, the Honourable Apex court has clearly enumerated the conditions, while dealing with an application of this nature. At this juncture, the only point that is to be considered is whether the person is entitled to immediate possession. Here, after considering the contentions and the records submitted before this court, I am of the view that the petitioner is entitled to get the amount. Hence, the application is allowed subject to the following conditions:

- 1 Petitioner shall execute a bond of Rs. 20,300/- with two solvent sureties each for the like sum.
- 2 Petitioner shall produce the amount before the court as and when directed by this court.
- 3 On complying the conditions, release the amount to the petitioner.

(Dictated to the confidential assistant typed by her corrected and pronounced by in open court this the 17th day of March, 2026)

Sd/-

Judicial First Class Magistrate,
Taliparamba

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