

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
CHANGANACHERRY**

Present: Anil Kumar T S, Judicial I Class Magistrate.

Dated this the, 28th day of November, 2025

CMP No.5938/2025 in Crime No.1176/2025

Petitioner : Nikhil Mohanan, S/o Mohanan, Kulathunkal (H),
Ithithanam P.O, Kurichy Village,
Changanacherry Taluk.
(By Adv.Soni Jacob)

Respondent : State - represented by the Sub Inspector of Police,
Chingavanam Police Station crime
No.1176/2025.
(By APP, Changanacherry)

Offence : U/s.331(2), 305(b), 3(5) of BNS.

Order : Petition is allowed.

ORDER

This petition is filed u/s.497 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for getting interim custody of Hero Moto Corp Ltd. company made motor cycle bearing Reg.No.KL-33-E-7410 which was involved in Cr.No.1176/2025 of Chingavanam Police Station, registered u/s.331(2), 305(b), 3(5) of BNS.

2) The petitioner is the registered owner of motorcycle bearing Reg.No. KL-33-E-7410 and according to him the vehicle is involved in Crime No.1176/2025 of Chingavanam Police Station and taken into custody. It is now being kept in the police station premises and its continuous exposure to the inclement weather will cause mechanical complaints to the vehicle.

3) Heard the learned APP and the counsel for the petitioner. The learned APP has not raised any serious objection in granting interim custody of the vehicle to the petitioner. The petitioner submits that extensive damage will be caused to the vehicle,

if it is allowed to be kept in the Police Station premises, indefinitely. Report has been called for from the SHO concerned.

4) The petitioner is not the accused in this case. The vehicle involved in this case is presently being kept in the Police Station premise. It will be in a state of disuse, if the same is allowed to be exposed to vagaries of nature, for an indefinitely long period. Hence, the vehicle can be released to the petitioner, who is its owner, on terms so as to ensure its production before the Court as and when it is required for the purpose of any inquiry or trial. In the result, the petition stands allowed on the following conditions.

- i) The petitioner himself shall execute a bond for ₹1,00,000/- and bonds for the like sum shall be executed by two solvent sureties.
- ii) The petitioner shall produce the original RC book.
- iii) The vehicle shall not be sold, transferred or altered, until further orders.
- iv) The petitioner shall produce the vehicle before the Court as and when required.
- v) The petitioner shall produce four photographs of the vehicle showing its registration number and the same shall be counter signed by the petitioner and the investigating officer.
- vi) The petitioner shall prepare detailed inventory of the vehicle and the same shall be signed by the petitioner and counter signed by the investigating officer.

(Dictated to the confidential assistant, transcribed by her, corrected and pronounced by me in open court on this the, 28th day of November, 2025)

Sd/-
Judicial First Class Magistrate -I
Changanacherry