

IN THE COURT OF THE II ADDITIONAL SESSIONS JUDGE, THRISSUR.

Present:

Sri. S. RAMESH KUMAR, ADDL. SESSIONS JUDGE -II

Friday the 5th day of June, 2026/ 15th Jyeshtham, 1948.

CRIMINAL M.P. No.7842/2025 in SC 507/2025

(Crime No. 639/2024 Chavakkad Police Station)

Petitioner:

1. Muhasin Latheef, 36 Years, S/o Abhul Latheef,
Rayamaraykkar House, Vattekkad Desom, Kadappuram
Village, Chavakkad PO, Thrissur
By Adv. Hemin Wilson

Respondent:

1. State of Kerala, Represented by Station House Officer
(Crime No.639/2024 of Chavakkad Police Station
Rep.by public prosecutor

This petition is coming on for hearing and the same day the court passed the following:

ORDER

This is a petition filed by the petitioner under section 497 of BNSS for getting interim custody of the iPad of Apple make and blue in colour involved in Crime No.639/2024 of Chavakkad Police Station.

2. Heard both sides.

3. Prosecution case is that on 12.08.2024 at about 10.40 hours at Thiruvathra AC Padam, 797.55 grams of hashish oil has been recovered from the possession of the 1st accused while he was transporting the same on a scooter bearing registration No.KL-52-P-8130, rode by the 2nd accused, for the purpose of sale. Thereby the accused persons alleged to have committed offences punishable under sections 20(b)(ii)B, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

4. According to the petitioner, the iPad was seized from him on 13.08.2024 by the investigating officer and produced before the Court as item No.4 of the list of property produced by the Sub Inspector of Police, Chavakkad Police Station and received by the Court as NDPS – PI No.257/2024. According the petitioner, if the mobile phone is kept idle for a considerable long time, it will be deteriorated to a great extent and he will be put to irreparable loss.

5. The prosecution filed report stating that since the final report has been filed in this case, the Court may take appropriate decision regarding the interim custody of the iPad.

6. Section 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 provides for confiscation of illicit drugs, substances, plants, material apparatus, utensils, articles and conveyances in respect of which or by means of which offence has been committed. Section 51 of the Narcotic Drugs and Psychotropic Substances Act, 1985 provides that the provisions of the Code of Criminal Procedure, 1973 shall apply, in so far as they are not inconsistent with the provisions of the the Narcotic Drugs and Psychotropic Substances Act, 1985, to all warrants issued and arrests, searches, seizures made under the Act. In this case, it is to be noted that the prosecution has no case that the iPad was involved in the actual offence alleged in this case. The prosecution records would show that the iPad was recovered from the custody of the 1st accused/petitioner and the iPad was received by the Court as NDPS

P.I 253/2024. Hence the interim custody of the iPad can be given to the petitioner, but on conditions.

In the result, the petition is allowed on the following conditions:--

- (1) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum.
- (2) The petitioner shall produce 3 photographs of the iPad from different angles with attestation.
- (3) The petitioner shall not destroy, dismantle, sell or transfer the iPad till the disposal of the case.
- (4) The petitioner shall produce the iPad in the same condition as and when directed by the court.
- (5) On complying condition nos.1 and 2, the Samsung mobile phone produced before the Court and received as per NDPS PI No.253/2024 shall be released to the petitioner on executing a receipt for the same.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 5th day of June, 2026).

Sd/-
S. RAMESH KUMAR
ADDL. SESSIONS JUDGE II
THRISSUR

/ True Copy /

By Order

Copied by: NEM

Compared by : SMS

Sheristadar

Order in
Crl. MP.7842/2025
Sc 507/2025
Dated : 05.06.2026