

IN THE COURT OF THE ADDL. SESSIONS JUDGE-II
THIRUVANANTHAPURAM

PRESENT: Sri. RAJIV JAYARAJ, ADDL. SESSIONS JUDGE-II

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

Crl.M.P. No.20/2026

IN

S.C.2713/2025

(Crime No.900/2025 of Kallambalam Police Station pending before
Additional Sessions Court-II, Thiruvananthapuram)

Petitioner/Accused No.1:-

Sanju @ Saiju, aged 41 years, S/o Sony,
Deepa Nivas, Chittayikode, Kallamblam P.O.,
Navaikulam, Thiruvananthapuram

(By Advocates Thattathumala S. Anil kumar & Silpa S.S.)

Counter Petitioners:-

State Kerala represented by
The Station House Officer,
Kallambalam Police Station.

(By Additional Public Prosecutor K. L. Hareesh Kumar)

This petition came up for hearing on 5/6/2026 and the court on the **same day** passed the following :

ORDER

The petitioner, who is the first accused in Crime No.900/2025 of Kallamabalam Police Station, registered for the offences punishable under Sections 22(c), 23(c), 27A and 27B of the NDPS Act, has filed this petition seeking interim custody of items Nos.1 to 24 kept in court under T. No. 492, 510 etc.

2. The Dy.SP filed a report opposing the application.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

4. Items Nos.1 to 10 consist of ladies' ornaments made of gold and other metals. The wife of the petitioner, who is the fifth accused in the crime, had earlier filed an identical application seeking release of those very items. The said petition was dismissed by this Court as not pressed, since she was reported to be absconding after institution of the petition. The conduct of the fifth accused probabalises that items Nos.1 to 10 exclusively belonged to her. The report submitted by the DySP also indicates, to a certain extent, that the said items may belong to the fifth accused alone. In such circumstances, the first accused cannot claim interim custody of items Nos.1 to 10.

5. The petitioner submits that items Nos. 11, 12 belong to him. The submission appears to be correct. They are his personal properties. Item No.15, namely a mobile phone, has already been forwarded for forensic examination. Therefore, the question of releasing the same on interim custody does not arise.

6. Items Nos.16 and 17 have already been auctioned. Hence, the claim for interim custody of those items no longer survives for consideration.

7. Items Nos.18 to 23 are reported to have been used as instruments for commission of the offences alleged in the case. Therefore those items are also not liable to be released on interim custody.

8. The only items which the petitioner could legitimately claim

are items Nos.11 to 14 which include his ATM card and the vehicle records, which are his personal assets belonging to him. Except these items, the petitioner is not entitled to interim custody of others. So far as item No.24 is concerned, the prosecution has a contention that release of it at this stage will prejudice the trial. That appears to be sound.

9. Considering all the above aspects, I am of the view that the petitioner is entitled to obtain interim custody only of items Nos. 11 to 14.

In the result, the petition is allowed in part. The petitioner is permitted to obtain interim custody of items Nos.11 to 14 on his executing a personal bond for ₹.10,000/- (Rupees Ten Thousand only). On execution of the bond, the office shall release the aforesaid items to the petitioner. The court will pass final orders as to custody of the items claimed after final disposal of the case.

Dictated to the Confidential Assistant, typewritten by her in the computer, corrected and pronounced in the Open Court by me on the 5th day of June, 2026.

Sd/-
RAJIV JAYARAJ
Addl. Sessions Judge-II
By Order

True Copy

(Copies : 4)
Typed by: Anupama
Compared by: Rifa

FCS :

SHERISTADAR

Copy of Order in
Criminal M. P. No.20/2026 in
S.C No.2713/25
Dated : 5..6..2026