

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE G.GIRISH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

CRL.MC NO. 8683 OF 2019

OR NO.15/2019 OF THAMARASSERY FOREST RANGE OFFICE, KOZHIKODE

ORDER DATED 12.11.2019 IN CMP NO.2596 OF 2019 OF JUDICIAL
MAGISTRATE OF FIRST CLASS -II, THAMARASSERY

PETITIONER:

STATE OF KERALA,

REPRESENTED BY THE RANGE FOREST OFFICER, THAMARASSERY.

BY ADV PUBLIC PROSECUTOR

RESPONDENT:

SHAJAL MON,
S/O.USMAN, PANCHILI HOUSE, KOLANGARA,
PANNICODE POST, KOZHIKODE-673602

BY ADVS.

SRI.A.RANJITH NARAYANAN

SMT.A.SIMI

SRI NAGARAJ NARAYANAN, GP FOREST.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
07.04.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



2025:KER:29919

Cr1.M.C 8683/19

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ORDER

The Forest Range Officer, Thamarassery, has filed this petition under Section 482 Cr.P.C, challenging the order passed by the Judicial First Class Magistrate-II, Thamarassery, in C.M.P No.2596/2019, ordering the release of a Jeep with registration No.KL-10-6213, to the petitioner in that petition.

2. The case relates to the commission of offence under Section 51(1) of the Wild Life Protection Act, 1972. The learned Magistrate has passed the impugned order in exercise of powers under Section 451 Cr.P.C. There is absolutely no illegality or impropriety in the above order passed by the learned Magistrate. Subject to the final decision in that case, the learned Magistrate is empowered to decide whether the aforesaid vehicle is liable to be confiscated. In that view of the matter, present petition is devoid of merit.

In the result, the petition is hereby dismissed.

Sd/-

**G.GIRISH
JUDGE**

IAP



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APPENDIX OF CRL.MC 8683/2019

PETITIONER'S ANNEXURES:

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| ANNEXURE I | A TRUE COPY OF THE FORM I DATED 23/09/2019 IN O.R.NO.15/2019 OF FOREST RANGE OFFICE THAMARASSERY. |
| ANNEXURE II | A TRUE COPY OF THE MAHAZAR DATED 22/09/2019 IN O.R.NO.15/2019. |
| ANNEXURE III | A TRUE COPY OF THE CONFESSIONS STATEMENT OF ACCUSED NO.3. |
| ANNEXURE IV | A TRUE COPY OF THE ORDER DATED 12/11/2019 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, THAMARASSERY. |