

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT  
THE HONOURABLE MR.JUSTICE GOPINATH.P.

FRIDAY, THE 15<sup>TH</sup> DAY OF MAY, 2020/25<sup>TH</sup> VAISAKHA, 1942

W.P(C) NO.9922 OF 2020

PETITIONERS:-

1. VAHIDA, W/O.BASHEER,  
AGED 28 YEARS, PULLATTUKUZHI HOUSE,  
PALLIKKAL P.O., MALAPPURAM DISTRICT.
2. MUJEEB, S/O.BEERANKUTTY,  
AGED 32 YEARS, ARIPPARA HOUSE,  
KONOLMAD, PUTHUR, PALLIKKAL,  
MALAPPURAM DISTRICT.
3. BASHEER P., S/O.BEERAN,  
AGED 38 YEARS, PULLATTUKUZHI HOUSE,  
KONOLMAD, PUTHUR, PALLIKKAL,  
MALAPPURAM DISTRICT.
4. MUHAMED SHAFI P., S/O.BEERAN,  
AGED 36 YEARS, PULLATTUKUZHI HOUSE,  
KONOLMAD, PUTHUR, PALLIKKAL,  
MALAPPURAM DISTRICT.
5. SAITHALI, S/O.MUHAMMED,  
AGED 40 YEARS, CHEMMALA,  
KODIKUTHIPARAMBU, ANTHIYOORKUNNU P.O.,  
PULIKKAL, MALAPPURAM DISTRICT.
6. MUHAMMED SHAFI E., S/O.KUNHALI E.,  
AGED 38 YEARS, UNNIYALUNGAL HOUSE,  
SRAMBIYA BAZAAR, PULIKKAL,  
MALAPPURAM DISTRICT.

BY ADV. SRI. BABU S. NAIR

RESPONDENTS:-

1. THE GEOLOGIST,  
DEPARTMENT OF MINING AND GEOLOGY,  
DISTRICT OFFICE, MANJERI,

W.P(C) NO.9922 OF 2020            2

MALAPPURAM DISTRICT, PIN - 676 121.

2. THE STATION HOUSE OFFICER,  
THENHIPALAM POLICE STATION,

MALAPPURAM DISTRICT, PIN - 673 636

R1-2 BY GOVERNMENT PLEADER SRI. K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 15.05.2020,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**Dated this the 15th day of May, 2020**

**ORDER**

The Govt.Pleader to get instructions as to why the vehicles should not be ordered to be released as it is seen that the vehicles have been seized not for any offence under the provisions of the MMDR Act, but for offences under the IPC, the Kerala Police Act and Section 5 of the Kerala Epidemic Diseases Ordinance 2020.

Post on 19.05.2020.

**GOPINATH.P, JUDGE**

PM

APPENDIX

PETITIONERS EXTS:

EXHIBIT P1:- COPY OF THE REGISTRATION CERTIFICATE OF THE 1<sup>ST</sup> PETITIONER'S VEHICLE.

EXHIBIT P2:- COPY OF THE REGISTRATION CERTIFICATE OF THE 2<sup>ND</sup> PETITIONER'S VEHICLE.

EXHIBIT P3:- COPY OF THE REGISTRATION CERTIFICATE OF THE 3<sup>RD</sup> PETITIONER'S VEHICLE.

EXHIBIT P4:- COPY OF THE REGISTRATION CERTIFICATE OF THE 4<sup>TH</sup> PETITIONER'S VEHICLE.

EXHIBIT P5:- COPY OF THE REGISTRATION CERTIFICATE OF THE 5<sup>TH</sup> PETITIONER'S VEHICLE.

EXHIBIT P6:- COPY OF THE REGISTRATION CERTIFICATE OF THE 6<sup>TH</sup> PETITIONER'S VEHICLE.

EXHIBIT P7:- COPY OF THE NOTICE ISSUED TO THE DRIVER OF THE 1<sup>ST</sup> PETITIONER'S VEHICLE UNDER SECTION 41(1)(A) CR.P.C.

EXHIBIT P8:- COPY OF THE NOTICE ISSUED TO THE DRIVER OF THE 2<sup>ND</sup> PETITIONER'S VEHICLE UNDER SECTION 41(1)(A) CR.P.C.

EXHIBIT P9:- COPY OF THE NOTICE ISSUED TO THE DRIVER OF THE 3<sup>RD</sup> PETITIONER'S VEHICLE UNDER SECTION 41(1)(A) CR.P.C.

EXHIBIT P10:- COPY OF THE NOTICE ISSUED TO THE DRIVER OF THE 4<sup>TH</sup> PETITIONER'S VEHICLE UNDER SECTION 41(1)(A) CR.P.C.

EXHIBIT P11:- COPY OF THE NOTICE ISSUED TO THE DRIVER OF THE 5<sup>TH</sup> PETITIONER'S VEHICLE UNDER SECTION 41(1)(A) CR.P.C.

EXHIBIT P12:- COPY OF THE NOTICE ISSUED TO THE DRIVER OF THE 6<sup>TH</sup> PETITIONER'S VEHICLE UNDER SECTION 41(1)(A) CR.P.C.