CR

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 27TH DAY OF JANUARY 2023 / 7TH MAGHA, 1944

CRL.MC NO. 6645 OF 2022

[IN ST 167/2022 ON THE FILE OF THE CHIEF JUDICIAL MAGISTRATE, KOTTAYAM]

PETITIONERS/ACCUSED NOS.1 AND 2

1 FASALUDHEEN A
AGED 46 YEARS
SON OF ABDUL KHADER KUNJU, PUTHENVELI, VANDANAM P.O, AMBALAPPUZHA, ALAPPUZHA , PIN - 688005

2 ABHILASH G
AGED 32 YEARS
SON OF GOPALAKRISHNAN, KEECHERIL NIKARTHIL, PUNNAPARA P.O, AMBALAPPUZHA, ALAPPUZHA, PIN - 688004

BY ADVS.
P.M.ZIRAJ
IRFAN ZIRAJ

RESPONDENTS/STATE AND COMPLAINANT:

1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM, PIN - 682031

2 THE MOTOR VEHICLE INSPECTOR
REGIONAL TRANSPORT OFFICE, ENFORCEMENT WING, PONMANKAL TOWER THELLAKOM P.O, KOTTAYAM DISTRICT, PIN - 686630

BY SRI.M.P.PRASHANTH, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 02.11.2022, ALONG WITH Crl.MC.6634/2022, 6716/2022, 6979/2022, 6985/2022 AND 6986/2022 THE COURT ON 27.01.2023 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 27TH DAY OF JANUARY 2023 / 7TH MAGHA, 1944

CRL.MC NO. 6634 OF 2022

[IN ST NO.319 ON THE FILE OF THE CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM]

PETITIONER/ACCUSED NOS.1 AND 2:

1 FASALUDHEEN A
AGED 46 YEARS
SON OF ABDUL KHADER KUNJU PUTHENVELI, VANDANAM P.O, AMBALAPPUZHA, ALAPPUZHA , PIN - 688005

2 MUHAMMED UBAIS
AGED 45 YEARS
SON OF ABDUL RAHIMAN , VALAKADAVU, VANDANAM P.O, AMBALAPPUZHA, ALAPPUZHA-, PIN - 688005

BY ADVS.
P.M.ZIRAJ
IRFAN ZIRAJ

RESPONDENT/STATE AND COMPLAINANT:

1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM, PIN - 682031

2 THE MOTOR VEHICLE INSPECTOR
REGIONAL TRANSPORT OFFICE, ENFORCEMENT WING, PONMANKAL TOWER, THELLAKOM P.O, KOTTAYAM DISTRICT, PIN - 686630

BY SMT.SREEJA V., SR.PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 02.11.2022, ALONG WITH Crl.MC.6645/2022, 6716/2022, 6979/2022, 6985/2022 AND 6986/2022 THE COURT ON 27.01.2023 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 27TH DAY OF JANUARY 2023 / 7TH MAGHA, 1944

CRL.MC NO. 6716 OF 2022

[S.T.NO.220/2022 ON THE FILE OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT (SPECIAL COURT Mps/MLAs CASES) ERNAKULAM IN MV CASE NO.KL63/003/2022 ON THE FILE OF MOTOR VEHICLE INSPECTOR, SUB REGIONAL TRANSPORT OFFICE, ANGAMALAY]

PETITIONERS/ACCUSED NOS.1 AND 2:

1 ANTONY PYNADATH
AGED 36 YEARS
SON OF MANI ANTONY,PYNADATH HOUSE, EDAKKUNNU, KARUKUTTY, PADUVAPURAM, ANGAMALY, PIN - 683582

2 RIJO GEORGE
AGED 40 YEARS
SON OF GEORGE P.T, PADIKALAN HOUSE, VELOOKARA PARIYARAM P.O, VELOOKARA PARIYARAM, THRISSUR, PIN - 680721

BY ADVS.
P.M.ZIRAJ
IRFAN ZIRAJ

RESPONDENTS/STATE AND COMPLAINANT:

1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM, PIN - 682031

2 THE MOTOR VEHICLE INSPECTOR
RTO (ENFORCEMENT), SUB REGIONAL TRANSPORT OFFICE
ANGAMALY, ERNAKULAM DISTRICT, PIN - 683752

BY SRI.M.P.PRASHANTH, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 02.11.2022, ALONG WITH Crl.MC.6645/2022, 6634/2022,6979/2022, 6985/2022 AND 6986/2022, THE COURT ON 27.01.2023 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 27TH DAY OF JANUARY 2023 / 7TH MAGHA, 1944

CRL.MC NO. 6979 OF 2022

[TO QUASH THE PROCEEDINGS IN STC NO.228/2022 IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THALASSERY ARISING OUT OF M.V. CASE NO.84/2021 OF THE MOTOR VEHICLE INSPECTOR, R.T.O (ENFORCEMENT), KANNUR]

PETITIONERS/ACCUSED NOS.1 & 2:

1 AHEMMED SHAFI C.M
AGED 55 YEARS
S/O. K. MOHAMMED, KUDROLI MANNATH HOUSE, 33A, CHENGALA, KASARAGOD DISTRICT., PIN - 671123

2 ASHIFALI K.H
AGED 31 YEARS
S/O. HYDROS, KAVUNKAL HOUSE, KEEZHPALLY P.O, THALASSERY, KANNUR DISTRICT., PIN - 670704

BY ADV K.ABOOBACKER SIDHEEQUE

RESPONDENTS/STATE AND COMPLAINANT:

1 STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM., PIN - 682031

2 THE MOTOR VEHICLE INSPECTOR
R.T.O (ENFORCEMENT), CIVIL STATION, COLLECTORATE ROAD, TALAP, KANNUR DISTRICT., PIN - 670002

BY SMT.SANGEETHARAJ N.R., PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 02.11.2022, ALONG WITH Crl.MC.6645/2022, 6634/2022, 6716/2022, 6985/2022 AND 6986/2022, THE COURT ON 27.01.2023 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 27TH DAY OF JANUARY 2023 / 7TH MAGHA, 1944

CRL.MC NO. 6985 OF 2022

[TO QUASH PROCEEDINGS IN STC NO.227/2022 IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THALASSERY ARISING OUT OF M.V.ACT CASE NO.89/2021 OF THE MOTOR VEHICLE INSPECTOR, RTO (ENFORCEMENT), KANNUR DISTRICT]

PETITIONERS/ACCUSED NOS.1 AND 2:

1 AHEMMED SHAFI C.M
AGED 55 YEARS
S/O. K. MOHAMMED, KUDROLI MANNATH HOUSE, 33A, CHENGALA, KASARAGOD DISTRICT., PIN - 671123

2 SHIJIL M.K
AGED 35 YEARS
S/O. RAJAN, KARIYIL HOUSE, KALLAYI, ANJARAKKANDI, KANNUR DISTRICT., PIN - 670612

BY ADV K.ABOOBACKER SIDHEEQUE

RESPONDENTS/STATE & COMPLAINANT:

1 STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM., PIN - 682031

2 THE MOTOR VEHICLE INSPECTOR
R.T.O (ENFORCEMENT), CIVIL STATION, COLLECTORATE ROAD, TALAP, KANNUR DISTRICT., PIN - 670002

BY SRI.M.P.PRASHANTH, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 02.11.2022, ALONG WITH Crl.MC.6645/2022, 6634/2022, 6716/2022, 6979/2022 AND 6986/2022, THE COURT ON 27.01.2023 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 27TH DAY OF JANUARY 2023 / 7TH MAGHA, 1944

CRL.MC NO. 6986 OF 2022

[TO QUASH THE PROCEEDINGS IN S.T.C. NO.229/2022 IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THALASSERY ARISING OUT OF M.V. CASE NO.83/2021 OF THE MOTOR VEHICLE INSPECTOR, R.T.O (ENFORCEMENT), KANNUR DISTRICT]

PETITIONERS/ACCUSED NOS.1 AND 2:

1 AHEMMED SHAFI C.M
AGED 55 YEARS
S/O. K. MOHAMMED, KUDROLI MANNATH HOUSE, 33A, CHENGALA, KASARAGOD DISTRICT., PIN - 671123

2 SAIB K.S
AGED 21 YEARS
S/O. SULAIMAN, KAYYALAKKAKATHU HOUSE, MANKODE P.O, ARALAM, KANNUR DISTRICT., PIN - 670704

BY ADV K.ABOOBACKER SIDHEEQUE

RESPONDENTS/STATE AND COMPLAINANT:

1 STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM., PIN - 682031

2 THE MOTOR VEHICLE INSPECTOR
R.T.O (ENFORCEMENT), CIVIL STATION, COLLECTORATE ROAD, TALAP, KANNUR DISTRICT., PIN - 670002

BY SRI.M.P.PRASHANTH, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 02.11.2022, ALONG WITH Crl.MC.6645/2022, 6634/2022, 6716/2022, 6979/2022 AND 6985/2022, THE COURT ON 27.01.2023 PASSED THE FOLLOWING:

O R D E R

[Crl.MC Nos.6645/2022, 6634/2022, 6716/2022, 6979/2022, 6985/2022, 6986/2022]

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In all these Crl.M.Cs. the respective petitioners are challenging the prosecution initiated against them by the Motor Vehicles Inspector, alleging the offences punishable under Sections 113(3)(b) r/w. Section 194(1) of the Motor Vehicles Act, 1988. The common allegation against the petitioners in all these Crl.M.Cs. are that they have carried the excess load in their goods carriages and thereby committed the offences. The petitioners are the drivers and registered owners of the respective vehicles.

2. Heard Sri.P.M.Ziraj, the learned counsel for the petitioners in Crl.M.C Nos.6645/22, 6716/22 and 6634/2022, Sri.K.Aboobacker Sidheeque, the learned counsel appearing for the petitioners in Crl.M.C No.6985/2022,

6986/2022 and 6979/2022, Sri.M.P.Prashanth, the learned Public Prosecutor appearing for the respondents in Crl.M.C Nos.6716/22, 6645/2022, 6986/2022 and 6985/2022, Smt. Sreeja V, the learned Senior Public Prosecutor appearing for respondents in Crl.M.C.No.6634/2022 and Sri.Sangeetharaj N.R., the learned Public Prosecutor appearing for the respondents in Crl.M.C.No.6979/2022.

3. Since the common legal contentions are raised in all these Crl.M.Cs., I am not dealing with the factual situation in each case separately. One of the crucial contentions raised by the petitioners is that the proceedings which are initiated based on complaint submitted by the Motor Vehicle Inspector are not legally sustainable mainly because of the reason that, the offences alleged against them are non-cognizable offences and, therefore, the final report

submitted by the Motor Vehicle Inspector cannot be taken cognizance of by the learned Magistrate. However, on examining the records, it can be seen that in all these cases, the prosecutions were initiated based on complaints submitted by the Motor Vehicle Inspector, and none of the said prosecutions were based on any police report as contemplated under Section 173(2) of Cr.PC. Therefore, the contention put forward by the learned counsel for the petitioners in this regard is not legally sustainable in law.

4. Another crucial contention raised by the learned counsel for the petitioners is with regard to the implication of the registered owners of the said vehicle as the accused. According to the petitioners, such implication is not contemplated in the said provision. Before considering the aforesaid question, it is profitable to refer to the statutory

stipulation under Section 113(3) of the Motor Vehicles Act which reads as follows:

> *"Section 113(3): No person shall drive or cause or allow to be driven in any public place any motor vehicle or trailer—*
> *(a) the unladen weight of which exceeds the unladen weight specified in the certificate of registration of the vehicle, or*
> *(b) the laden weight of which exceeds the gross vehicle weight specified in the certificate of registration."*

Even though the offence is contemplated under Subsection (3) of Section 113, Subsection (4) of Section 113 contemplates a presumption against the owner of the said vehicle and it reads as follows:

> *"113(4): Where the driver or person in charge of a motor vehicle or trailer driven in contravention of sub-section (2) or clause (a) of sub-section (3) is not the owner, a Court may presume that the offence was committed with the knowledge of or under the orders of the owner of the motor vehicle or trailer."*

The challenge raised in these Crl.M.Cs. with respect to the implication of the owners as accused person is that, as per Sub-section (4) of Section 113 of the Motor Vehicles Act, the presumption that the offence was committed with

the knowledge of or under the orders of the owner of the motor vehicle or trailer, is contemplated only in respect of the offence under Subsection (3)(a) of Section 113 of the Act, which deals with excess unladen weight. It is pointed out that in all these cases, the allegation is that when the vehicles of the petitioners were inspected, it was found that the laden weight exceeded the gross vehicle weight specified in the certificate of registration, and therefore the offence alleged against the petitioners is coming under Subsection 3(b) of Section 113. The presumption is available only in respect of the offence under Subsection (3)(a) of Section 113, which deals with unladen weight of the vehicle. It is contended that, in the absence of any presumption the owner of the said vehicle cannot be prosecuted.

5. However, I am of the view that the said

contention is not at all sustainable as the offence which is specified under Sub-section (3) of Section 113 starts with the words "*no person shall drive or cause or allow to be driven in any public place any motor vehicle or trailer*" Therefore, the offence is not confined to cases where a person who drives the vehicle, and the offence would get attracted also in cases where a person causes or allows any vehicle to be driven in any public place with unladen or laden weight in excess specified in the certificate of registration of the vehicle. Therefore, it is evident that both the acts, namely, the driving of a vehicle with excess weight (unladen or laden) as well as causing or allowing the driving of the vehicle with excess weight, would attract the offences, and these are separate offences which could be committed by different persons. On going through the complaints submitted in all these cases, there

are specific allegations against the respective registered owners that they have permitted the vehicle to be driven with excess weight and, therefore by virtue of the stipulation contained in Sub section (3), the registered owners are liable to be prosecuted for the offence under Subsection (3) of Section 113 of the Motor Vehicles Act.

6. As far as the presumption contemplated under Subsection (4) of section 113 is concerned, that will not affect the commission of the offence. The presumption is something which can have relevance at the time of appreciation of materials during the course of the trial, to determine the culpability of the accused persons. In other words, the lack of existence of presumption can have an impact only on the burden of proof upon the prosecution. To be precise, when a presumption exists in favour of the prosecution, the burden

of prosecution to establish the offence is much lesser. However, merely because, the circumstances are not in existence for attracting the presumption, that cannot result in a finding that no offence at all is attracted, but on the other hand, the lack of presumption would make the burden of prosecution heavier. Thus, as far as this case is concerned, the offence would be attracted, if the ingredients contemplated under Subsection (3) of Section 113 are made out from the complaint. In such event, the prosecution can be launched against all the persons who committed the aforesaid offences, irrespective of the question whether presumption, as contemplated under Sub section (4) of Section 113 of the Motor Vehicles Act, is attracted or not. In such circumstances, I do not find any merit in the said contentions.

7. Another contention of the petitioner is

that, since Subsection (4) of Section 113 contemplates a presumption to be drawn by the court concerned, it is not proper for the complainant to draw such presumption at the time of filing the complaint. However, I am of the view that the said contention is not legally sustainable because none of the cases the complaint was submitted based on the presumption contemplated under Sub section (4) of Section 113. On the other hand, as mentioned above, the complaint contains materials for attracting the ingredients contemplated under Sub section (3) of Section 113 of the Act, and therefore the complaint can be proceeded with, independent of the presumption as referred to above.

8. It is further contended by the petitioners that in the complaint they have specified the amount of penalty payable by the accused in the event of being found guilty, and

it is also pointed out that, a prayer is sought in the complaint, directing the accused persons to pay the fine as per the rates stipulated in Government Order No. GO(P)37/2019/Trans and such a prayer is not legally permissible. It is true that, in some of the complaints, reference to the aforesaid Government Order is made and also sought for a direction to the accused persons to pay the said amount. However, I am of the view that, merely because of that reason, the complaint cannot be treated as vitiated. If there are sufficient averments in the complaint for prosecuting the accused on the basis of materials placed on record, nothing would preclude the court from taking cognizance.

9. The further contention of the petitioners is that, in Section 114 of the Motor Vehicles Act, the manner of dealing with vehicles carrying excess load is specified. One

of the stipulations therein is that when it is found that the vehicle is carrying excess weight, the Officer concerned may, by an order, direct the driver to off-load the excess weight at his own risk and not to remove the vehicle or trailer from that place until the laden weight has been reduced or the vehicle or trailer has otherwise been dealt with so that it complies with Section 113 of the Motor Vehicles Act. It is pointed out that, in none of these cases, any documents indicating the compliance of the said stipulation are produced. However, in my view, even if it is taken as a violation, it cannot be treated as something that would vitiate the prosecution. As far as the issuance of an order to off-load the excess weight is concerned, the same is a subsequent event after the detection of the offence. Once the vehicle was found to be carrying excess weight, the offence under

Subsection (3) of Section 113 would get attracted and merely because of the reason that the officer concerned failed to pass an order directing the driver to off-load the excess weight, the proceedings would not be vitiated and efface the offence already committed by the accused persons. Moreover, the word used in Section 114 with regard to the issuance of an order to off-load the excess weight is 'may', and therefore it can only be interpreted as an enabling provision which empowers the Officer concerned to pass such a direction so as to avoid continued violation of Subsection (3) of Section 113 of the Motor Vehicles Act. Therefore, I do not find any merit in that contention as well.

Thus, after considering all the relevant aspects, I am of the view that, the contentions raised by the petitioners in the respective Crl.M.Cs. are without any merits and therefore

liable to be dismissed. It is ordered accordingly.

Sd/-

ZIYAD RAHMAN A.A.
JUDGE

pkk

APPENDIX OF CRL.MC 6645/2022

PETITIONER'S ANNEXURES

ANNEXURE 1	TRUE COPY OF THE FINAL REPORT DATED 23.03.2022 SUBMITTED BY THE SECOND RESPONDENT BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT KOTTAYAM
ANNEXURE 2	TRUE COPY OF THE CHECK REPORT/CRIME NO.KL47723211113154850 DATED 1.3.2022 ON THE FILE OF MOTOR VEHICLE INSPECTOR RTO ENFORCEMENT WING, KOTTAYAM
ANNEXURE 3	TRUE COPY OF THE WEIGH SLIP SERIAL NO. 26616 DATED 13.11.2021 ALLEGEDLY ISSUED FROM ST THOMAS WEIGHING SERVICES, MANJOOR KURUPPANTHARA, KOTTAYAM DISTRICT
ANNEXURE 4	TRUE COPY OF THE CHALLAN DATED 13.11.2021 PREPARED BY THE SECOND RESPONDENT
ANNEXURE 5	TRUE COPY OF INTERIM ORDER OF THIS HONOURABLE COURT DATED 09.12.2021 IN CRL.M.APPL.NO.2 OF 2021 IN CRL.M.C. NO. 6189 OF 2021
ANNEXURE 6	TRUE COPY OF EXTENSION OF INTERIM ORDER OF THIS HONOURABLE COURT IN IDENTICAL MATTER DATED 05.04.2022 IN CRL.M.APPL.NO.1 OF 2021 IN CRL.M.C. NO. 6203 OF 2021

APPENDIX OF CRL.MC 6634/2022

PETITIONER'S ANNEXURES:

ANNEXURE 1	TRUE COPY OF THE FINAL REPORT DATED 07.06.2022 SUBMITTED BY THE SECOND RESPONDENT BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT KOTTAYAM
ANNEXURE 2	TRUE COPY OF THE CHECK REPORT/CRIME NO.KL4708422020812161 9 DATED 3.5.2022 ON THE FILE OF MOTOR VEHICLE INSPECTOR RTO ENFORCEMENT WING, KOTTAYAM
ANNEXURE 3	TRUE COPY OF THE WEIGH SLIP SERIAL NO. 28760 DATED 08.02.2022 ALLEGEDLY ISSUED FROM ST THOMAS WEIGHING SERVICES, MANJOOR KURUPPANTHARA, KOTTAYAM DISTRICT
ANNEXURE 4	TRUE COPY OF THE CHALLAN DATED 8.2.2022 PREPARED BY THE SECOND RESPONDENT
ANNEXURE 5	TRUE COPY OF INTERIM ORDER OF THIS HONOURABLE COURT DATED 09.12.2021 IN CRL.M.APPL.NO.2 OF 2021 IN CRL.M.C. NO. 6189 OF 2021
ANNEXURE 6	TRUE COPY OF EXTENSION OF INTERIM ORDER OF THIS HONOURABLE COURT IN IDENTICAL MATTER DATED 05.04.2022 IN CRL.M.APPL.NO.1 OF 2021 IN CRL.M.C. NO. 6203 OF 2021

APPENDIX OF CRL.MC 6716/2022

PETITIONER'S ANNEXURES:

ANNEXURE 1	CERTIFIED COPY OF THE FINAL REPORT DATED 08.04.2022 SUBMITTED BY THE SECOND RESPONDENT BEFORE THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT (SPECIAL COURT FOR MPS/MLAS CASES), ERNAKULAM
ANNEXURE 2	TRUE COPY OF THE CHARGE SHEET/SHOW CAUSE NOTICE DATED 12.03.2020 ON THE FILE OF RTO (ENFORCEMENT), SUB REGIONAL TRANSPORT OFFICE, ANGAMALY, ERNAKULAM
ANNEXURE 3	TRUE COPY OF THE WEIGH SLIP NO.15705 DATED 12.03.2020 ALLEGEDLY ISSUED FROM ANNA WEIGH BRIDGE, MAROTICHODU, KALADY
ANNEXURE 4	TRUE COPY OF INTERIM ORDER OF THIS HONOURABLE COURT DATED 09.12.2021 IN CRL.M.APPL.NO.2 OF 2021 IN CRL.M.C. NO. 6189 OF 2021
ANNEXURE 5	TRUE COPY OF EXTENSION OF INTERIM ORDER OF THIS HONOURABLE COURT IN IDENTICAL MATTER DATED 05.04.2022 IN CRL.M.APPL.NO.1 OF 2021 IN CRL.M.C. NO. 6203 OF 2021

APPENDIX OF CRL.MC 6979/2022

PETITIONER'S ANNEXURES:

ANNEXURE-A1	CERTIFIED COPY OF THE COMPLAINT DATED 06.12.2021 SUBMITTED BY THE SECOND RESPONDENT BEFORE THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THALASSERY
ANNEXURE-A2	A TRUE COPY OF THE CHECK REPORT WITH ELECTRONIC CHALLAN NO.KL48061210331114200 DATED 31.03.2021 ON THE FILE OF RTO (ENFORCEMENT), KANNUR.
ANNEXURE-A3	A TRUE COPY OF THE WEIGH SLIP DATED 31.03.2021 ALLEGEDLY ISSUED FROM DEEPAM ENTERPRISES, IDP, DHARMASALA, ANDOOR, KANNUR DISTRICT.
ANNEXURE-A4	A TRUE COPY OF THE INTERIM ORDER DATED 02.08.2022 IN CRL.M.APPL. NO.1 OF 2022 IN CRL.M.C. NO. 4331 OF 2022 OF THIS HON'BLE COURT.

APPENDIX OF CRL.MC 6985/2022

PETITIONER'S ANNEXURES

ANNEXURE-A1	A CERTIFIED COPY OF THE COMPLAINT DATED 06.12.2021 SUBMITTED BY THE SECOND RESPONDENT BEFORE THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THALASSERY.
ANNEXURE-A2	A TRUE COPY OF THE CHECK REPORT WITH ELECTRONIC CHALLAN NO.KL48198210318111940 DATED 18.03.2021 ON THE FILE OF R.T.O (ENFORCEMENT), KANNUR DISTRICT.
ANNEXURE-A3	A TRUE COPY OF THE WEIGH SLIP DATED 18.03.2021 ALLEGEDLY ISSUED FROM NEW PRADEEP ENTERPRISES WEIGH BRIDGE, KOTHAYAMUKKU, PAYYANNUR, KANNUR DISTRICT.
ANNEXURE-A4	A TRUE COPY OF THE INTERIM ORDER DATED 02.08.2022 IN CRL.M.APPL. NO.1 OF 2022 IN CRL.M.C. NO. 4331 OF 2022 OF THIS HON'BLE COURT.

APPENDIX OF CRL.MC 6986/2022

PETITIONER'S ANNEXURES

ANNEXURE-A1	A CERTIFIED COPY OF THE COMPLAINT DATED 30.11.2021 IN S.T.C NO. 229/2022 OF THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THALASSERY.
ANNEXURE-A2	A TRUE COPY OF THE CHECK REPORT WITH ELECTRONIC CHALLAN NO.KL490062103311145555 DATED 31.03.2021 ON THE FILE OF R.T.O (ENFORCEMENT), KANNUR DISTRICT.
ANNEXURE-A3	A TRUE COPY OF THE WEIGH SLIP DATED 31.03.2021 ALLEGEDLY ISSUED FROM DEEPAM ENTERPRISES, IDP, DHARMASALA, ANDOOR, KANNUR DISTRICT.
ANNEXURE-A4	A TRUE COPY OF THE INTERIM ORDER DATED 02.08.2022 IN CRL.M.APPL. NO.1 OF 2022 IN CRL.M.C. NO. 4331 OF 2022 OF THIS HON'BLE COURT.