



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

WEDNESDAY, THE 22ND DAY OF NOVEMBER 2023 / 1ST AGRAHAYANA,

1945

WP(C) NO. 27846 OF 2023

PETITIONER/S:

BYJU.V.G
AGED 51 YEARS
S/O. V.R. GANGADHARAN, RESIDING AT VELLUTHEDATHU
PARAMBIL, VENGINISSERY, PARALAM, THRISSUR, PIN -
680563

BY ADVS.
K.JAYESH MOHANKUMAR
PUSHPARAJAN KODOTH
VANDANA MENON
VIMAL VIJAY

RESPONDENT/S:

- 1 COMMISSIONER OF CUSTOMS
CUSTOMS (PREVENTIVE), OFFICE OF THE COMMISSIONER
OF CUSTOMS (PREVENTIVE), 5TH FLOOR, CATHOLIC
CENTRE, BROADWAY, COCHIN, PIN - 683031
- 2 JOINT COMMISSIONER
CUSTOMS (PREVENTIVE), COMMISSIONERATE OFFICE OF
THE COMMISSIONER OF CUSTOMS (PREVENTIVE), 5TH
FLOOR, CATHOLIC CENTRE, BROADWAY, COCHIN, PIN -
682031
- 3 ASSISTANT COMMISSIONER
CUSTOM PREVENTIVE THRISSUR, PIN - 680001

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 22.11.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



J U D G M E N T

The present writ petition has been filed seeking a direction to the respondents to release the gold, gold bars, gold coins and gold ornaments seized from the employee of the petitioner. The aforesaid gold items were directed to be released to the petitioner vide the order in original dated 3.5.2023, Ext.P1, of the second respondent.

2. In view of the above, the present writ petition is disposed of with a direction to the respondents to release the aforesaid gold items seized from the employee of the petitioner, to the petitioner on furnishing bonds and securities other than the Bank Guarantee. Such release shall be subject to any order(s) passed by the appellate authority, in case the Department has preferred an appeal or preferring an appeal against the order dated 3.5.2023 (Ext.P1).

With the aforesaid direction, the present writ petition is disposed of.

Pending interlocutory application, if any, in the present writ petition stands dismissed.

Sd/-
DINESH KUMAR SINGH
JUDGE



APPENDIX OF WP (C) 27846/2023

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 03.05.2023
Exhibit P2	TRUE COPY OF THE REPRESENTATION DATED 15.05.2023 SUBMITTED BEFORE 3RD RESPONDENT
Exhibit P3	TRUE COPY OF THE LETTER DATED 14.05.2023 GIVEN BY THE EMPLOYEE OF THE PETITIONER SUBMITTED BEFORE THE 3RD RESPONDENT