

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.964 of 2015

ORDER:

The Petitioner filed this Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the docket order dated 09.06.2015 passed in CrI.M.P.No.1355 of 2015 in Crime No.85 of 2015 of Mudigubba Police Station, Ananthapuram District, by the Judicial Magistrate of First Class, Kadiri.

Heard.

When the petitioner approached the Court below for interim custody of the 24 bullocks, the Court below dismissed the application. Challenging the same, present revision has been preferred.

Learned counsel for the petitioner submitted that the said cattle were purchased by the petitioner and he is the rightful owner of the same. It is further submitted that the petitioner purchased the cattle for selling them at markets with little margin. It is also submitted that by giving cattle to the petitioner no damage will be caused to the case of the prosecution.

Considering the circumstances of the case, it is directed that the said 24 bullocks shall be released for interim custody of the petitioner, subject to final orders to be passed at the time of disposal of main case, on his executing a personal bond for Rs.2,00,000/- (Rupees two lakhs only) with one surety for the like sum. It is further directed that the petitioner shall not sell the said 24 bullocks till the disposal of the criminal case and further he shall undertake to produce the said 24 bullocks as and when required by the Court. However, it is made clear that the present order will not stand in the way of confiscation proceedings, if any.

Accordingly, the Criminal Revision Case is allowed.

Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J.

16th June, 2015

skmr