

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.484 OF 2014

ORDER:

The prosecution has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order, dated 09.01.2014, passed in CrI.M.P.No.1903 of 2013 by the Court of the II Additional Judicial Magistrate of First Class, Kovvur, whereby the learned Magistrate passed order directing release of the vehicle to the respondent herein for interim custody.

Heard and perused the material available on record.

Learned Public Prosecutor submits that the Court below erred in directing to release the vehicle for interim custody of the respondent herein as the respondent may make modification to the subject vehicle and as such, prays this Court to set aside the order impugned.

This Court is of the view that the Court below while passing order of release of the vehicle, directed the respondent herein to give an undertaking that he will not change or modify or alter the features of the property. The relevant portion of the Court below is extracted as under.

1. That the petitioner/A.1 shall execute a bond for Rs.7,00,000/- (Rupees seven lakhs only) with one surety for a like sum to the satisfaction of this Court.

2. That the petitioner/A.1 shall give an undertaking that he will not change or modify or alter the features of the property.

3. That the petitioner/A.1 shall produce the case property as and when required by this Court.

4. That the concerned Department is directed to take photographs of the property before delivering the same to the petitioner/A.1 and file the same before this Court.

In view of the above observations, the Criminal Revision Case is dismissed. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

03.12.2015

Pln