

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1789 OF 2015

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ORDER:

This Criminal Revision Case is filed against the docket order, dated 12.08.2015, passed in CFR No.2834 of 2015 in Crime No.55 of 2015, by the Judicial Magistrate of First Class, Narasampet.

The case of the prosecution is that while the Police Nekkonda, conducting patrolling duty, they found three persons coming on two motor cycles with bags, at Nehru Centre, and on seeing the police, they ran away and the police apprehended on person and on enquiry, he stated that they are transporting illicit liquor. The police arrested the said person and seized the contraband and also two vehicles, under cover of panchanama. Basing on the above, Crime No.55 of 2015 was registered on the file of Nekkonda Police Station. The petitioner filed an application before the Judicial Magistrate of First Class, Narsampet, for interim custody of the vehicle bearing No.TS 03 EC 5891. The learned Magistrate returned the said application on the ground of jurisdiction. Hence, this revision.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and she is not the accused in the above said crime and if the vehicle is exposed to sun and rain and is kept idle for a long period, it will get damaged and the petitioner is ready to furnish sufficient surety for release of the vehicle.

Learned Additional Public Prosecutor also submitted that interim custody of the crime vehicle can be granted to the petitioner by imposing certain conditions.

Considering these circumstances, it is directed that the vehicle

i.e. Glamour Motor Cycle bearing No.TS 03 EC5891, shall be released to petitioner for interim custody, subject to final orders to be passed at the time of disposal of main case, on her executing a personal bond for Rs.30,000/- (Rupees thirty thousand only) with one surety for the like sum and also on production of original R.C. book. It is further directed that the petitioner shall not alienate, alter or sell the vehicle till the disposal of the criminal case and further she shall undertake to produce the vehicle as and when required by the Court. This order will not stand in the way of the respondent to proceed with confiscation proceedings. If already confiscation orders are passed, the order need not be given effect to.

Accordingly, the Criminal Revision Case is disposed of.
Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

August 28, 2015.
KTL