

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2596 OF 2015

ORDER:

The petitioner 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 docket order, dated 19.10.2015, passed in CrI.M.P (SR).No.8899 of 2015 in Cr.No.302/2015-16 by the Court of the II Additional Judicial First Class Magistrate, West Godavari District at Kovvur, whereby the learned Judge returned the petition filed by the petitioner for release of vehicle, for want of jurisdiction.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the Court below erroneously dismissed the petition filed by him for release of the vehicle.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances, it is directed that the vehicle i.e., Auto Rickshaw bearing No.AP 05 TB 7009 shall be released to the petitioner for interim custody, subject to final orders to be passed in the main case, on his executing a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with one surety for a like sum to the satisfaction of the II Additional Judicial First Class Magistrate, Kovvur, West Godavari District, and subject to production of all the documents relating to the vehicle in question. The petitioner shall also give an undertaking not to sell, alter or alienate the said vehicle and produce the same as and when directed by the trial Court. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

04.11.2015

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