

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1098 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 09.06.2015 passed in CrI.M.P.No.264 of 2015 in Crime No.50 of 2015 on the file of the Judicial First Class Magistrate, Penukonda, whereby the petition filed for interim custody of she buffaloes seized from the possession of the petitioner/accused while they are transporting to Anantapur market to sell away, is dismissed.

Heard.

Learned counsel for the petitioner submitted that the petitioner purchased 20 she buffaloes by spending huge amount borrowing from his friends and he is transporting the same to the market for selling them. He further submits that if the said buffaloes are not released to the petitioner, the petitioner will be put to great hardship and irreparable loss.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances, it is directed that the 20 she buffaloes shall be returned to the petitioner for interim custody, subject to final orders to be passed in main case, on his executing a personal bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) with two sureties each for a like sum each to the satisfaction of the Judicial Magistrate of First Class, Penukonda. The petitioner shall also give an undertaking not to sell the same. The petitioner is also directed to feed the buffaloes properly and keep them in healthy condition for production of the same before the Court concerned at the time of trial.

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

25.06.2015
pln