

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

CRIMINAL REVISION CASE No.1625 of 2015

Between:

Pambi Chinnodu alias Venkata Rama Rao

..... PETITIONER(S)

AND

The State of Andhra Pradesh, rep.by its

Public Prosecutor, High Court, Hyderabad and another

.....RESPONDENT(S)

DATE OF JUDGMENT PRONOUNCED: 13.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

1. Whether Reporters of Local newspapers may be allowed to see the Judgments? Yes/No
2. Whether the copies of judgment may be marked to Law Reporters/Journals Yes/No
3. Whether Their Ladyship/Lordship wishes to see the fair copy of the Judgment? Yes/No

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

Crl.R.C.No.1625 of 2015

ORDER:

The petitioner is accused No.2. His vehicle TVS (XL Super Heavy Duty) bearing registration No.AP-16CQ-0593 is involved in the commission of the offence by carrying ID liquor in a gunny bag containing two polythene covers each having 10 liters total 20 liters on the said vehicle. The petitioner sought for return of the vehicle for interim custody through Crl.M.P.No.4095 of 2015 before the Judicial Magistrate of First Class, Tiruvur. The said petition was dismissed by the trial Court *inter alia* on the ground that it has no jurisdiction. Where the petitioner claims to be owner of the offending vehicle, I deem it appropriate to return the vehicle to the petitioner for interim custody, as the non-user of the vehicle is likely to spoil the vehicle. However, the petitioner shall have the interim custody of the vehicle on terms only.

Accordingly, this criminal revision case is allowed. Interim custody of the vehicle i.e., TVS (XL Super Heavy Duty) bearing registration No.AP-16CQ-0593 be granted to the petitioner/accused, subject to the condition that the petitioner proves the ownership of the said vehicle and furnishes personal security for a sum of Rs.15,000/- (Rupees fifteen thousand only) together with one surety in a like sum and also on further conditions, viz.,

- i. the petitioner shall not tamper with the vehicle in any manner and shall maintain the vehicle as it stands as on today;
- ii. the petitioner shall produce the vehicle as and when directed by the trial Court.
- iii. the custody is only interim custody; consequently the petitioner shall not put the vehicle to any use other than his personal use, and

- iv. the petitioner shall not sell or otherwise dispose of or alienate the vehicle until disposal of the main case.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 13.08.2015

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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