

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.931 OF 2015

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ORDER:

This Criminal Revision Case is filed against docket order, dated 09.06.2015, passed in CFR No. 1502 of 2015 in Crime No.114 of 2015 of Kallur Police Station, by the Judicial Magistrate of First Class, Sathupalli.

The brief facts of the case are that on reliable information, the Sub-Inspector of Police, Kalluru along with his staff, rushed to Vachya Naik Thanda village on 02.06.2015 and found one auto bearing No.AP 20 TC 5431 transporting 10 gunny bags of black jaggery and one bag alum each containing 50 kgs., and apprehended the auto driver and on interrogation, he stated that he is the owner cum driver of the auto and he is supplying the said jaggery and alum to the ID Liquor manufacturers. On confession of A1, the police conducted raid on the godown of A4 and there they found the petitioner and another person loading black jaggery and alum in a trolley bearing No.AP 20 X 7652 and the police arrested those persons and seized the vehicle and the property under cover of panchanama. The petitioner herein filed an application before the trial Court for interim custody of the vehicle. The trial Court rejected the said application through the impugned docket order on the ground of jurisdiction. Hence, this revision case is filed.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petitioner is the owner of the vehicle, and the Court below has erroneously rejected the application of the petitioner and if the vehicle is exposed to sun and rain and is kept idle, it would get damaged. He further submits that the petitioner is ready and willing to furnish 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 bearing No. AP 20 X 7652 shall be released to the petitioner for interim custody, subject to final orders to be passed at the time of disposal of main case, on petitioner executing a personal bond for Rs.1,00,000/- (Rupees one lakh only) and also on production of original R.C. book. It is further directed that the petitioner shall not alienate the vehicle and shall not change its physical features till the disposal of the criminal case and further he shall undertake to produce the vehicle as and when required by the Court concerned.

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

RAJA ELANGO, J

June 15, 2015.
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