

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1939 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 order, dated 02.09.2015, passed in C.F.R.No.2153 of 2015 in Crime No.135 of 2015 by the learned Special Judicial First Class Magistrate for Prohibition and Excise Cases, at Warangal, 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 petition filed by him before the Court below for release of the vehicle is returned, on the ground that the said Court has no jurisdiction.

Learned counsel for the petitioner submits that the original R.C., is in the name of the previous owner and the petitioner has the letter issued by the Mahindra and Mahindra Finance Company, and as such, prays this Court to release the vehicle, i.e., Lorry bearing No.AP 31 TW 7839 without insisting the original R.C.

Considering the facts and circumstances of the case, this Court directs the Police Station concerned to release the vehicle, i.e., lorry bearing No.AP 31 TW 7839 on execution of a personal bond of Rs.4,00,000/- (Rupees four lakhs only) with one surety to the satisfaction of the authorities concerned, without insisting the Original R.C. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

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

JUSTICE RAJA ELANGO

10.09.2015

pln