

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.929 OF 2015

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ORDER:

This Criminal Revision Case is filed against docket order, dated 02.05.2015, passed in CrI.M.P. No.654 of 2015 in POR No.6859/138 on the file of the Judicial Magistrate of First Class at Narasampet.

Heard and perused the material available on record.

The vehicle of the petitioner i.e. Tractor bearing No.AP 25 G 4784 was seized by the forest officials in P.O.R. No.6859/138 F.B.O. Kothaguda for the offence under Section 20 (1) (c) (ii) (iii) (iv) & (vii) of A.P. Forest Act, 1967 and Sections, & 29 & 31 of the Wild Life Protection Act, 1972. The petitioner filed CrI.M.P. No.654 of 2015 before the Court below for release of the said vehicle. The Court below dismissed the said application. Aggrieved over the same, the present revision is filed.

Learned counsel for the petitioner submits that the petitioner is the owner of the vehicle and the Court below erred in dismissing the petition made by the petitioner and the petitioner never used the said vehicle for cultivation of forest areas 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 the case property can be released to the petitioner by imposing certain conditions.

Having regard to the facts and circumstances of the case and also in view of the submission of the learned Public Prosecutor, this Court is of the view that the relief sought for by the petitioner can be

accepted.

Considering these circumstances, it is directed that the vehicle of the petitioner i.e. Tractor bearing No. AP 25 G 4784 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) with one surety for the like sum 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.
KTL