

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.924 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provision under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 02.05.2015 passed in CrI.M.P.No.1019 of 2015 in Crime No.189 of 2014 on the file of the Judicial Magistrate of First Class, Nandyal, whereby the petition filed for return of the vehicle i.e., APE Truck Plus bearing No.AP 21 TX 0694 for interim custody is dismissed on the ground that whether the vehicle is involved in transporting the red sandals or not is a matter to be decided during the course of investigation.

Heard.

Learned counsel for the petitioner submitted that the petitioner is the owner of the aforesaid vehicle and if the vehicle is kept idle for a long period, it will get damaged and hence, he prays to allow the petition.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances, it is directed that the vehicle i.e., APE Truck Plus bearing No.AP 21 TX 0694, shall be released to the petitioner/A.13 for interim custody, subject to final orders to be passed in main case, on his executing a personal bond for Rs.3,00,000/- (Rupees three lakhs only) with one surety for a like sum to the satisfaction of the concerned, and subject to production of all the documents relating to the vehicle in question. The petitioner shall also give an undertaking not to sell, alter or alienate the said vehicle and produce the same as and when directed by the trial Court. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

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

23.06.2015

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