

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.2513 OF 2014

ORDER:

This Criminal Revision Case is filed against the docket order, dated 04.12.2014, passed in CrI.M.P. No.1999 of 2014 in Crime No.160 of 2014 of P.S. Sathupalli, by the Judicial Magistrate of First Class, Sathupalli.

The brief facts of the case are that on 23.04.2014, the Inspector of Police, along with his staff, conducted vehicle checking and found one Tata xenon RX pick up van (Goods Carriage) passed the checking point without stopping, upon which they apprehended the person and checked the vehicle and found some gunny bags in the vehicle containing black jaggery and alum, and on interrogation, the driver confessed that he is the driver – cum – owner of the vehicle and he purchased the black jaggery and alum from the 2nd respondent and selling the same in his village to the persons, who use it in making of ID liquor. After registering the crime, the police seized the vehicle along with the property. The petitioner filed an application before the Court below for release of the crime vehicle. The trial Court rejected the said application on the ground of jurisdiction, through the impugned order. Aggrieved over the same, this revision is filed by the petitioner.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petitioner is the owner of the vehicle, and he is getting income by plying the said vehicle and his entire family was depending on the income from the said vehicle, and if the vehicle is exposed to sun and rain and is kept idle, it would be damaged and the petitioner is ready and willing to furnish security and therefore, he prayed for release of the vehicle.

Learned Additional Public Prosecutor submitted that the petitioner has not come with clean hands and in the earlier occasion also the vehicle was seized and the petitioner has taken away the vehicle from the custody of the police, for which a case was also registered and therefore, the petitioner is not entitled for release of the vehicle.

In view of the submission of the learned Public Prosecutor, this Court is not inclined to grant the relief sought for by the petitioner.

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

RAJA ELANGO, J

June 11, 2015.
KTL