

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2659 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 29.10.2015, passed in CrI.M.P.No.4576 of 2015 by the XIX Metropolitan Magistrate, Cyberabad, at Miyapur, whereby the learned Judge dismissed the petition filed by the petitioner herein for interim custody of the case property.

Heard and perused the material.

Learned counsel for the petitioner submitted that the Court below erroneously dismissed the petition filed by the petitioner, who is the owner of the case property, i.e., Dell laptop, Sony laptop, Apple Ipod, Nokia Cell Phone, Fasttrack Wrist Watch and Bonshiman Wrist Watch and original Study Certificates of the petitioner herein, for interim custody of the said property, without giving any valid reasons. Hence, he prays this Court to set aside the impugned order and grant interim custody of the case property to the petitioner herein.

On perusing the order impugned in the criminal revision case, this Court is of the view that the Court below without giving any valid reasons dismissed the petition filed by the petitioner herein and as such, the order, dated 29.10.2015 passed in CrI.M.P.No.4576 of 2015 is set aside and the Court below is directed to restore the petition filed by the petitioner on its file and after hearing the learned counsel for the petitioner, pass appropriate orders giving valid reasons to substantiate the order to be passed in the petition.

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

07.11.2015

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