

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**Criminal Revision Case No.2104 of 2015**

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**ORDER:**

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The petitioner filed this Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the order dated 15-09-2015 passed in CrI.M.P.SR.No.4737 of 2015 in Crime No.246 of 2015-16 by the Judicial First Class Magistrate, Thorrur, Warangal District.

Heard and perused.

When the petitioner approached the Court below for interim custody of the vehicle i.e., Auto bearing No. TS 03 UA 8094, the Court below returned the application. Challenging the same, the present revision has been preferred.

Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and the same is very essential for eking out his livelihood. Further, if the vehicle is kept idle for a long period there is every possibility of it getting damaged. He also submitted that the petitioner is ready to produce the vehicle as and when required by the Court.

Learned Additional Public Prosecutor objected for grant of interim custody submitting that the vehicle is involved in a crime.

Considering the circumstances of the case, it is directed that vehicle i.e., Auto bearing No. TS 03 UA 8094 shall be released for interim custody of the petitioner, subject to final orders to be passed at the time of disposal of main case, on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with one surety for the like sum to the satisfaction of the trial court and also on production of original R.C. book. It is further directed that the petitioner shall not alienate the vehicle, shall not change the physical

features of the same till the disposal of the criminal case and further he shall undertake to produce the vehicle as and when required by the Court. However, it is made clear that the present order will not stand in the way of confiscation proceedings, if any.

Accordingly, the Criminal Revision Case is allowed.

Miscellaneous petitions pending in this revision, if any, shall stand closed.

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***JUSTICE RAJA ELANGO***

01<sup>st</sup> October, 2015.

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