

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WEDNESDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

PRESENT
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL REVISION CASE No.1553 of 2015

Between:

Gattu Srinu @ Sreenaiah

..... PETITIONER/A2

AND

The State of Telangana, rep.by its
Public Prosecutor, High Court, Hyderabad

.....RESPONDENT

DATE OF JUDGMENT PRONOUNCED: **05.08.2015**

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals | Yes/No |
| 3. | Whether Their Ladyship/Lordship wishes to see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL REVISION CASE No.1553 of 2015

ORDER:

The petitioner is A2. His Bolero Trolley vehicle bearing registration No.TS-05-UA-7005 is involved in the commission of the offence by transporting 270 bags of black jaggery and 152 bags of Alum in the said vehicle. The petitioner sought for return of the vehicle for interim custody through CrI.M.P.No.572/2015. The petition was dismissed by the trial Court *inter alia* on the ground that it has no jurisdiction. Where the petitioner claims to be owner of the offending vehicle, I deem it appropriate to return the vehicle to the petitioner for interim custody, as the non-user of the vehicle is likely to spoil the vehicle. However, the petitioner shall have the interim custody of the vehicle on terms only.

Accordingly, this criminal revision case is allowed. Interim custody of the vehicle i.e., Bolero Trolley bearing registration No.TS-05-UA-7005 be granted to the petitioner/A2, subject to the condition that the petitioner proves the ownership of the said vehicle and furnishes personal security for a sum of Rs.2,00,000/- (Rupees two lakh only) together with one surety in a like sum and also on further conditions, viz.,

- (i) the petitioner shall not tamper with the vehicle in any manner and shall maintain the vehicle as it stands as on today;
- (ii) the petitioner shall produce the vehicle as and when directed by the trial Court.

(iii) the custody is only interim custody; consequently the petitioner shall not put the vehicle to any use other than his personal use, and

(iv) the petitioner shall not sell or otherwise dispose of or alienate the vehicle until disposal of the case in Cr.No.76 of 2015 of Chandur Police Station, Nalgonda.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 05.08.2015

Dsr