

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2039 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case being aggrieved by the order, dated 03.09.2015, passed in CrI.M.P.No.2314 of 2015 in Crime No.228 of 2015 by the Court of the Judicial Magistrate of First Class, Banaganapalle, whereby the learned trial Judge dismissed the petition filed by the petitioner for release of vehicle, for want of jurisdiction.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petition filed by him before the Court below for release of the vehicle is dismissed for want of jurisdiction. He further submits that the Court below has erroneously dismissed the petition and if the lorry, which is seized, is kept idle, it will be damaged. Hence, he prays this Court to release the vehicle, i.e., lorry bearing No.AP 21 W 7529.

Learned Additional Public Prosecutor opposed for the same.

Considering the fact that the lorry, which is seized, is allegedly involved in illegal transportation of PDS rice, this Court is not inclined to release the vehicle and as such, the criminal revision case is liable to be dismissed. However, in view of the observations made by the Court below in CrI.M.P.No.2314 of 2015, the petitioner is given liberty to approach the competent authority for release of the vehicle.

The Criminal Revision Case is accordingly dismissed. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

09.10.2015

pln