

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2766 of 2015

ORDER:

This revision is preferred by the petitioner challenging the docket order, dated 16.09.2015, passed in CrI.M.P.No.912 of 2015 in Crime No.115 of 2015 by the Judicial Magistrate of First Class, Manuguru.

Heard and perused the material available on record.

The vehicle of the petitioner i.e. Volvo Crawler Excavator bearing serial No.15063 and engine No.645758 was taken away by the accused in Crime No.116 of 2015 as the petitioner company owed some payment to him. Thereafter, though the petitioner paid the amount to the accused, the excavator was not released by him. Hence, the petitioner lodged a complaint before the Manuguru Police for release of the excavator from the custody of the accused. The police seized the said excavator and deposited it before the Judicial Magistrate of First Class, Manuguru. The petitioner filed CrI.M.P. No.912 of 2015 before the Magistrate seeking interim custody of the said excavator. The learned Magistrate allowed the application with the following conditions:

“1. Petitioner shall execute a self bond for Rs.60,00,000/- with two sureties for the like sum to the satisfaction of this Court.

2. Petitioner shall not sell, alter, alternate or mortgage the property to third parties and shall produce it in the same condition as and when required by this Court, until the disposal of the case.”

Aggrieved over the condition of executing self bond for Rs.60,00,000/- with two sureties, the petitioner filed the present revision.

Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and having perused the

material available on record, Court is of the view that the condition of executing a self bond for Rs.60,00,000/- with two sureties, imposed against the petitioner by the Judicial Magistrate of First Class, Manuguru vide order, dated 16.09.2015, in CrI.M.P. No.912 of 2015 in Crime No.116 of 2015, can be modified as follows:

The petitioner is directed to execute a personal bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with one surety for the like sum to the satisfaction of the Judicial Magistrate of First Class, Manuguru.

The other conditions in the order of the learned Magistrate shall stand unaltered.

With the above modification, the Criminal Revision Case is disposed of. Consequently, the Miscellaneous Petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 30, 2015

KTL