

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.2012 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 conditions imposed in order dated 22-08-2015 passed in Rc.No.52/2015/B2 by the Deputy Commissioner of Prohibition and Excise, Vijayawada, Krishna District in Crime No.908 of 2014-15 of Prohibition and Excise Police Station, Tiruvuru, Krishna District.

Heard and perused.

Petitioner herein filed the impugned application seeking to release the crime vehicle bearing registration No.AP 16 VL TR 5414 (Yamaha SZ-RR), and the learned Deputy Commissioner of Prohibition & Excise, Vijayawada by way of the impugned order directed the S.H.O. concerned to obtain certain documents from the owner of the vehicle for taking further action. Challenging the same, present revision is filed.

Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle. 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 objects for the same since the vehicle is involved in a crime.

Considering these circumstances, it is directed that vehicle bearing registration No AP 16 VL TR 5414 (Yamaha SZ-RR), 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 Rs.45,000/- (Rupees Forty five thousand only) with one surety for the like sum to the satisfaction of the court concerned/authority concerned 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 any confiscation proceedings.

Accordingly, the Criminal Revision Case is allowed.

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

JUSTICE RAJA ELANGO

01st October, 2015.

skmr