

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

CRIMINAL REVISION CASE No.1917 of 2015

Between:

Kudikala Ravi Kumar.

..Petitioner

And

1. The State of Telangana through S.H.O., Hanamkonda
Prohibition & Excise Station, Warangal District,
rep., by Public Prosecutor, High Court, Hyderabad

..Respondent.

DATE OF JUDGMENT PRONOUNCED: 09.9.2015

SUBMITTED FOR APPROVAL:

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

1. Whether Reporters of Local newspapers may be :: Yes/No

Allowed to see the judgments?

2. Whether the copies of judgment may be marked :: Yes/No

To Law Reporters/Journals

3. Whether Their Ladyship/Lordship wish to see :: Yes/No

the fair copy of Judgment?

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1917 OF 2015

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ORDER:

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1. The petitioner-owner of the vehicle filed this Criminal Revision Case under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the order dated 3.9.2015 passed by the Special Judicial Magistrate of First Class for Prohibition and Excise Cases at Warangal, in CrI.M.P.No.340 of 2015 in Crime No.576 of 2015-16.

2. Heard and perused the material available on record.

3. The petitioner herein filed the impugned application seeking to grant interim custody of the crime vehicle i.e., Ashok Leyland Lorry bearing Reg. No.AP-09-T-2045. The said application was dismissed by the learned Magistrate. Challenging the same, the present revision is filed.

4. Learned Counsel for the petitioner submitted that if the vehicle is kept idle for a long period there is every possibility of getting it damaged.

5. Learned Additional Public Prosecutor submitted that interim custody of the vehicle can be granted to the petitioner by imposing certain conditions.

6. Considering the above facts and circumstances of the case, it is directed that the vehicle in question Ashok Leyland Lorry bearing Reg.No.AP-09-T-2045 seized in the above crime 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.3,00,000/- (Rupees Three lakhs only) with one surety for the like sum to the satisfaction of the Special Judicial First Class Magistrate for Prohibition & Excise Cases at Warangal, and also on production of original R.C. book. The petitioner is directed to file an affidavit before the Court below undertaking that he 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 produce the vehicle as and when required by the Court concerned.

7. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 9.09.2015

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HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.1917 OF 2015

DATED: 9.9.2015

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