

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2322 of 2015

ORDER

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The petitioner preferred the present Criminal Revision Case by invoking the provision under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the order dated 06.10.2015 passed in CrI.M.P.No.5803 of 2015 in C.O.R.No.996/2015-16 on the file of the Special Judicial Magistrate of First Class (Prohibition and Excise Cases) at Khammam.

2. Heard learned counsel for the petitioner and learned Public Prosecutor for the State.

3. Petitioner herein filed the impugned application under Section 457 Cr.P.C., seeking to release the crime vehicle i.e., Eicher Motor DCM Registration No.AP 03 X 2367 and the same was dismissed by the learned Magistrate vide impugned order. Challenging the same, the present revision is filed.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the vehicle and the same is very essential for eking out his livelihood. He further submits that if the vehicle is kept idle for a long period, there is every possibility of it getting damaged. He also submits that the petitioner is ready to produce the vehicle as and when required by the Court.

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

6. Considering these circumstances, the Station House Officer, Prohibition and Excise Station, Khammam District, is directed to release the vehicle i.e., Eicher Motor DCM Registration No.AP 03 X 2367 to the petitioner for interim custody, subject to final orders to be passed in the main case, on his executing

a personal bond for Rs.2,00,000/- (Rupees two lakhs only) with one surety for the like sum to the satisfaction of the said Station House Officer 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 disposal of the criminal case and further he shall undertake to produce the vehicle as and when required by the Court.

7. The Criminal Revision Case is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

12th October, 2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.946 OF 2012

DATED 27th JUNE, 2012.

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