

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2606 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order, dated 30.09.2015, passed in CrI.M.P.No.473 of 2015 in Crime No.115 of 2015 by the Court of the Judicial Magistrate of First Class, at Tandur, Ranga Reddy District.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that though the Court below allowed the petition filed by the petitioner for return the vehicle, erred in ordering to produce two sureties each for an amount of Rs.9,00,000/-, especially when the value of the vehicle is Rs.9,00,000/-. Hence, he prays this Court to modify the order passed by the Court below with one surety only.

Considering the facts and circumstances, it is directed that the vehicle i.e., JCB-3DX bearing No.29 AH 7145, shall be released to the petitioner for interim custody, subject to final orders to be passed in the main case, on his executing a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties for the like sum each to the satisfaction of the Judicial Magistrate of First Class, at Tandur, Ranga Reddy District, and subject to production of all the documents relating to the vehicle in question. The petitioner shall also give an undertaking not to sell, alter or alienate the said vehicle and produce the same as and when directed by the trial Court. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

04.11.2015

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