

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.2780 OF 2015

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ORDER:

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Petitioner-Owner of the Vehicle filed this Criminal Revision Case by invoking the provision under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the order dated 5.11.2015 passed in C.F.R.No.4720 of 2015 in Crime No.309 of 2015-16 by the Special Prohibition & Excise Court-cum-Additional Judicial First Class Magistrate, Kakinada.

Heard.

Petitioner herein filed the impugned application seeking to release the vehicle i.e., Auto Rickshaw bearing Reg. No.AP05 TC 9385, Chassis No.MBX0000ZFSH952492 and Engine No.S4H8314150 seized in the above crime and the said application was returned by the learned Magistrate vide impugned order. Challenging the same, the present revision is filed.

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

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

Considering these circumstances, it is directed that vehicle i.e. AP05 TC 9385, Chassis No.MBX0000ZFSH952492 and Engine No.S4H8314150 shall be released for interim custody of the petitioner, subject to final orders to be passed at the time of disposal of the main case, on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with one surety for the like sum to the satisfaction of

the Special Prohibition & Excise Court-cum-Additional Judicial First Class Magistrate, Kakinada 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 below. It is made clear that this order will not stand in the way of confiscation proceedings, if any.

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

JUSTICE RAJA ELANGO

Date : 18.11.2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2780 OF 2015

DATED 18th November, 2015.

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