

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4467 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the docket order, dated 8.3.2016, in CrI.M.P.No.193 of 2016 in Crime No.53 of 2016 on the file of the XXI Metropolitan Magistrate, Cyberabad at Medchal and allow the same.

2. Heard and perused the material available on record.

3. The petitioner herein is the owner of Lorry bearing Registration No.AP 09 X 4678 which was involved in Crime No.53 of 2016 on the file of Shamirpet Police Station, Cyberabad registered for the offences punishable under Sections 420 and 379 I.P.C. The petitioner filed CrI.M.P.No.193 of 2016 in Crime No.53 of 2016 seeking release of the said vehicle and the same was dismissed. Aggrieved by the same, the present Criminal Petition is filed.

4. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and if the vehicle is kept idle for a long period, there is every possibility of it getting damaged. He further submitted that the petitioner is ready to furnish sufficient surety and also produce the vehicle as and when required by the Court.

5. Learned Additional Public Prosecutor objected for the same, since the vehicle is involved in a crime.

6. Considering these circumstances, it is directed that the vehicle i.e. Lorry bearing Registration No.AP 09 X 4678 shall be released for interim custody of the petitioner, subject to final orders to be passed in the main case, on petitioner furnishing a bank guarantee for Rs.1,00,000/- (Rupees one lakh only) with one surety for the like sum to the satisfaction of the XXI Metropolitan Magistrate, Cyberabad at Medchal, 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, the petitioner 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. If already confiscation orders are passed, the order need not be given effect to.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

31.3.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 31.3.2016

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