

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2164 OF 2016

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ORDER:

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The petitioner has preferred the criminal petition by invoking the provisions under Section 482 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order dated 10.02.2016 passed in CrI.M.P.No.278 of 2016 by the Additional Judicial Magistrate of First Class, Mahabubabad, whereby the learned trial Judge dismissed the petition filed by the petitioner for release of vehicle for want of jurisdiction.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the Court below erroneously dismissed the petition filed by the petitioner for release of the vehicle for want of jurisdiction.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances, it is directed that the vehicle i.e., lorry bearing No.AP 07 TB 3897 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.3,00,000/- (Rupees three lakhs only) with one surety for a like sum to the satisfaction of the learned Magistrate concerned, 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.

The Criminal Petition is disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

23.02.2016

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