

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5650 of 2016

ORDER:

The petitioner filed this Criminal Petition under Section 482 read with Section 457 Cr.P.C. praying to release the Auto Rickshaw bearing Registration No.AP 37 TB 6220 seized in Crime No.948/2015-16 of Chinthalapudi Prohibition and Excise Station, West Godavari District, registered for the offences punishable under Section 4 of GUR (Regulation and Use) Order, 1968 and Section 34(e) read with Section 34(2), 13(1) of A.P.Excise Act, 1968.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that if the vehicle is kept idle for a long period there is every possibility of getting it damaged and that the petitioner is ready to produce the vehicle as and when required by the Court below.

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. Auto Rickshaw bearing Registration No.AP 37 TB 6220 shall be released for interim custody of the petitioner, subject to final orders to be passed in the criminal case in connection with the above crime, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with one surety for the like sum 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. However, it is made clear that the present order will not stand in the way of confiscation proceedings, if any, already passed. Further, this order does not preclude the authorities from passing any confiscation proceedings.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions filed, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.04.2016

skmr