

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3079 OF 2016

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ORDER:
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Petitioner-Owner of the Vehicle filed this Criminal Petition by invoking the provision under Section 482 Cr.P.C. seeking to quash the order dated 25.2.2016 whereby the learned Judicial Second Class Magistrate, Pithapuram dismissed Crl.M.P.No.13 of 2016 in Crime No.33 of 2016 filed by the petitioner seeking interim custody of the seized vehicle.

Heard.

Petitioner herein filed the impugned application under Section 457 of the Code of Criminal Procedure seeking to return the vehicle-Tata lorry bearing Registration No.AP 31-TB-8559 and the said application was dismissed by the learned Magistrate vide impugned order. Challenging the same, the present petition 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 daily works. 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, the learned Judicial Second Class Magistrate, Pithapuram is directed to pass an order directing the police concerned those who seized the vehicle for interim custody of

the vehicle in favour of the petitioner, subject to final orders to be passed at the time of disposal of the main case, on condition of petitioner executing a bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) with one surety for the likesum 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.

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

JUSTICE RAJA ELANGO

23rd March, 2016.

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION No.2186 OF 2015

DATED 8th October, 2015.

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