

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTY

Crl.P.No.14622 of 2016

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the order dated 23.09.2016 passed in Crl.M.P.No.4470 of 2016 in Cr.No.14 of 2016 on the file of Additional Judicial First Class Magistrate, Kothapet, East Godavari District, where-under the learned Magistrate rejected the request of petitioner to release the vehicle Tata Indica Vista Cab bearing No.TS 5 UA 1706 on the ground that the investigation is pending in Cr.No.14 of 2016 of Kothapeta Police Station, East Godavari District, registered for the offences punishable under Sections 341, 365, 324 read with Section 34 IPC and under Section 3(1)(r)(s) & 3(2)(v)(va) of SCs & STs (POA) Amendment Act, 2015.

2. As seen from the material on record, the investigation in this case is completed and charge sheet is filed before the concerned Court on 30.07.2016. Therefore, dismissal of petition by the Court below on the ground of non-completion of investigation is erroneous. Taking into consideration the facts and circumstances of the case, the learned Additional Judicial First Class Magistrate, Kothapeta, East Godavari District, is directed to release the vehicle Tata Indica Vista Cab bearing No.TS 5 UA 1706 to the petitioner on his executing a bond for a sum of Rs.4 lakhs (Rupees four lakhs only) with two sureties for a like sum each to his satisfaction and also on production of original R.C. book. The petitioner shall give an undertaking to produce the vehicle as and when required by the

Court and not to alienate, transfer or alter the physical features of the vehicle till the disposal of the criminal case.

3. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTY, J

18th October, 2016

sj

