

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1827 OF 2016

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order, dated 16.06.2016, passed in Crl.M.P.No.2016 of 2016 by the Court of the I Additional Junior Civil Judge, Gurazala, Guntur District, whereby the learned Magistrate dismissed the petition filed by the petitioner for the reason that if the vehicle is released to the petitioner, he may destroy the valuable evidence against him and also observed that it would be difficult to secure the property at the time of trial.

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. Hence, he prays this Court to release the vehicle.

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 27 TX 6119 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.4,00,000/- (Rupees four 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.

With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

14.07.2016

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