

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5367 OF 2016

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ORDER:

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This petition is filed by the petitioner-owner of the vehicle under Section 482 Cr.P.C. seeking a direction to the Station House Officer, Hayathnagar Police Station, Ranga Reddy District, to release the vehicle seized in Crime No.44 of 2016.

Heard and perused the material available on record.

The vehicle of the petitioner viz., TVS Scooty Pep + BSII Reg.Brg.No.AP-10-AR-9347 was seized in the above crime registered for the offence punishable under Section 34(a) of the A.P. Excise Act. The petitioner filed Crl.M.P.No.1334 of 2016 before the XII Metropolitan Magistrate, Ranga Reddy District, seeking release of the vehicle. But the said Crl.M.P. was returned.

Learned Counsel for the petitioner submitted that the petitioner is the owner of the vehicle viz., TVS Scooty Pep + BSII Reg.Brg.No.AP-10-AR-9347 seized in the above crime and the same is very essential for his daily needs. Further, if the vehicle is exposed to sun and rain for a long period, it will be 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 Station House Officer, Hayathnagar Police Station is directed to release the vehicle viz., TVS Scooty Pep + BSII Reg.Brg.No.AP-10-AR-9347 to the interim custody of the petitioner, if it is not involved in any other 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 to the satisfaction of the XII Metropolitan Magistrate, Ranga Reddy District at L.B. Nagar.

The release of the above vehicle shall be subject to final orders to be passed at the time of disposal of the main case, and also on production of original R.C. book. It is further directed that the petitioner shall not alienate the vehicles, shall not change the physical features of the same till the disposal of the criminal case and further they shall undertake to produce the vehicle as and when required by the Court below. It is made clear that this order will not stand in the way of confiscation proceedings, if any.

Accordingly, the Criminal Petition is allowed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 18.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 18.4.2016

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