

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2264 of 2015

ORDER:

This revision is preferred challenging the order dated 15.09.2015 in CrI.M.P. No.1459 of 2015 in Cc No.75 of 2015, by the Additional Judicial Magistrate of First Class, Piler, whereby the learned Magistrate has dismissed the application filed by the petitioner for return of the amount seized in Crime No.66 of 2014.

Heard and perused the material available on record.

The case of the petitioner is that while he was going to Chinnakmmapalle village in his Innova Car along with driver by carrying an amount of Rs.8,10,000/-, to purchase a land in that village for the purpose of constructing an old age home, the police seized the said amount and the Car alleging that the petitioner is going to distribute the amount to the voters for casting their votes in favour of Telugu Desam Party in the General Elections, 2014. The petitioner filed an application under Section 451 Cr.P.C., before the Court below for return of the seized amount. The Court below dismissed the said application through the impugned order. Aggrieved over the same, the present revision is filed.

Learned counsel for the petitioner submitted that the said amount belongs to the petitioner and he sold some of his properties and with an intention to purchase land at Chinnakmmapalle village, for constructing an old age home, he is carrying the said amount. He further submitted that the petitioner is not disputing recovery of the amount from his possession and he is ready to substantiate his case that the said amount is not meant for distribution to the voters.

Considering the above submissions of the learned counsel

for the petitioner, this Court is of the view that return of the seized amount will not cause any prejudice to the prosecution to prosecute the case before the trial Court. Hence, this Court is inclined to pass the following order:

The Court below is directed to return the amount of Rs.8,10,000/- (Rupees eight lakhs and ten thousand only) seized in Crime No.66 of 2014 of Sodum Police Station to the petitioner on his filing an application along with an affidavit that he is not disputing recovery of the said amount from his possession and also on execution of a bond for a sum of Rs.10,00,000/- (Rupees ten lakhs only) with one surety for the like sum and also to execute a bank guarantee for Rs.8,10,000/- (Rupees eight laksh and ten thousand only).

With the above directions, the Criminal Revision Case is disposed of. Consequently, the Miscellaneous Petitions pending, if any, in this revision shall stand closed.

RAJA ELANGO, J

January 28, 2016

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