

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5370 OF 2016

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ORDER:
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This petition is filed by the petitioner/owner/A2 under Section 482 Cr.P.C. challenging the order dated 25.2.2016 passed in Crl.M.P.No.12 of 2016 in Crime No.33 of 2016 by the Judicial II Class Magistrate, Pithapuram.

Heard and perused the material available on record.

Petitioner herein filed the impugned application seeking to grant interim custody of the property viz., 18 Oxen seized in the above crime. But 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 purchased the oxen at Vizianagaram District at lower price and that the petitioner has been living upon the business of purchase of oxen at lower price and selling of the same at higher price. He also submitted that the petitioner is ready to produce the oxen as and when required by the Court.

Considering these circumstances, it is directed that 18 oxen seized in the above crime shall be released for interim custody of the petitioner subject to final orders to be passed at the time of disposal of the main case, on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with one surety for the like sum to the satisfaction of the Judicial II Class Magistrate Pithapuram. It is further directed that the petitioner shall not sell away the said oxen till the disposal of the criminal case and further he shall undertake to produce the oxen as and when required by the Court below.

Accordingly, the Criminal Petition is disposed of. 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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