

HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.124 of 2016

ORDER:

This revision is preferred challenging the docket order dated 08.01.2016 passed by the Special Judicial Second Class Magistrate, Prathipadu, in CrI.M.P. No.4 of 2016 in Crime No.5 of 2016, wherein the learned Magistrate dismissed the petition filed by the petitioner invoking the provisions under Section 457 Cr.P.C. to release of he-buffaloes (27 Nos.)

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner purchased the said animals at Vizianagaram market at lower price and transporting the same to Hyderabad and other places for selling them at higher price and on the way, Annavaram Police have seized the buffaloes and arrested the petitioner.

Admittedly, the petitioner is the owner of the buffaloes and he is an accused before the trial Court.

Considering the facts and circumstances of the case, it is directed that he-buffaloes (27 Nos.) shall be released for interim custody of the petitioner, subject to final orders to be passed in the main case, on his executing a personal bond for Rs.1,35,000/- (Rupees one lakh and thirty five thousand only) with one surety for the like sum. It is further directed that the petitioner shall not alienate the said buffaloes till the disposal of the criminal case and further he shall undertake to produce the said buffaloes as and when required by the Court. However, it is made clear that the present order will not stand in the way of any confiscation proceedings, if any.

Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

January 19, 2015

KTL