

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.8650 OF 2016

ORDER:

The petitioner filed this Criminal Petition under Section 482 read with Section 457 Cr.P.C. praying to direct the 2nd Respondent herein i.e., Deputy Commissioner of Prohibition and Excise Station, Mahabubnagar to forthwith issue orders to the S.H.O., Prohibition and Excise Police Station, Kalwakurthy, to release the vehicle bearing Reg.No.AP 22 TA 0508 seized in COR.No.18 of 2016 by permitting the petitioner to furnish third party surety before the Court of Judicial First Class Magistrate at Kalwakurthy.

Heard and perused the records.

Learned counsel for the petitioner submitted that if the vehicle is kept idle for a long period, there is every possibility of getting it damaged and that the petitioner is ready to produce the vehicle as and when required by the Court below.

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, it is directed that vehicle bearing Reg.No.AP 22 TA 0508 shall be released for interim custody of the petitioner, subject to final orders to be passed in the criminal case in connection with the above crime, on his executing a personal bond for a sum

of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like sum to the satisfaction of the trial court and also on production of original R.C. book. It is further directed that the petitioner shall not alienate the vehicle, shall not change the physical features of the same till the disposal of the criminal case and further he shall undertake to produce the vehicle as and when required by the Court below. However, it is made clear that the present order will not stand in the way of confiscation proceedings, if any, already passed. Further, this order does not preclude the authorities from passing any confiscation proceedings.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions filed, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

Date : 21.06.2016

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