

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5017 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 to quash the order dated 4.3.2016 passed in CrI.M.P.No.677 of 2016 in COR No.87 of 2016 by the Judicial First Class Magistrate, Thorrur, Warangal District.

Heard and perused the material available on record.

Petitioner herein filed the impugned application seeking to release the vehicle i.e., HF Deluxe Self Spoke Whee Motor bike bearing No. AP 36 AT 3672 seized in the above crime. But the said application was returned by the learned Magistrate vide impugned order. Challenging the same, the present petition is filed.

Learned Counsel for the petitioner submitted that the petitioner is the owner of the vehicle and the same is very essential for his daily necessities. Further, if the vehicle is kept idle for a long period there is every possibility of getting it 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, it is directed that vehicle i.e. HF Deluxe Self Spoke Whee Motor bike bearing No. AP 36 AT 3672 shall be released for interim custody of the petitioner, if it was not involved in any other crime, subject to final orders to be passed at the time of disposal of the main case, on his executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) with one surety for the like sum to the satisfaction of the Judicial First Class Magistrate Thorrur, Warangal District, 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. It is made clear that this order will not stand in the way of confiscation proceedings, if any.

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

JUSTICE RAJA ELANGO

Date : 12.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 12.4.2016

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