

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6792 OF 2016

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ORDER:
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Petitioner-Owner of the Vehicle filed this Criminal Petition by invoking the provision under Section 482 of the Criminal Procedure Code being aggrieved by the order dated 22.04.2016 passed in CFR No.2264 of 2016 in Crime No.35 of 2016 by the Judicial Magistrate of First Class, Nandyal.

Heard.

Petitioner herein filed the impugned application under Section 457 of the Code of Criminal Procedure seeking to return of the vehicle viz., Qualis bearing Registration No.AP 09BS 3989 and 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 works. 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. Qualis bearing Registration No.AP 09BS 3989, shall be released for interim custody to 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.3,00,000/- (Rupees Three lakhs only) with one surety for the like sum to the satisfaction of the Judicial Magistrate of First Class, Nandyal 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.

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

JUSTICE RAJA ELANGO

28.04.2016

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