

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5401 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 Cr.P.C. seeking to quash the proceedings in FIR No.1261 of 2015-16 on the file of Nuzvid Prohibition & Excise Station, Krishna District for the offence under Section 34(e) r/w 34 (ii), 13(1)(F), 42(c) & 50 of A.P. Excise Act and Clause 4 of the GUR (Jaggery) Regulation of Use Order, 1963.

Heard.

The petitioner is the owner of the auto bearing registration No.AP 37TC 6747 and the same is seized by the police in connection with Crime No.1261 of 2015-16 while it was transporting white jaggery.

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, the S.H.O., Nuzvid, Prohibition & Excise Station, Krishna District is directed to release the vehicle in question in favour of the petitioner for interim custody, on condition of petitioner executing a bond for a sum of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) with one surety for the

likesum 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.

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

JUSTICE RAJA ELANGO

18th April, 2016.

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