

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.13619 of 2016

ORDER:

The criminal petition is filed by the petitioner/A2/owner of the vehicle under Section 482 r/w.457 Cr.P.C. to direct the concerned authority to release the vehicle i.e., Piaggio Trailer bearing registration No.AP-07-TC-0072, which was seized in connection with Cr.No.36/2016 of Kakumanu P.S, registered for the offence punishable under Section 7 of Essential Commodities Act, 1955.

Heard the learned counsel appearing for the petitioner/A2 and the learned Additional Public Prosecutor, representing the State.

The petitioner sought for return of the vehicle for interim custody before the Court below and the same was returned by the Court below *inter alia* on the ground that no vehicle was produced before it. The appropriate authority to order release of the vehicle is the Joint Collector. The petitioner claims to be owner of the offending vehicle and hence it is appropriate to return the vehicle to the petitioner for interim custody, as the non-user of the vehicle is likely to spoil the vehicle.

In that view of the matter, the Criminal Petition is disposed of, the petitioner/A2 is directed to file appropriate application before the appropriate authority for release of the vehicle within a period of 15 days from today and on filing such application, the concerned authority shall dispose of it on the same day, in accordance with law.

Pending miscellaneous applications, if any, shall stand closed in consequence.

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M.S.K.JAI SWAL,J

Date: 26.09.2016

Dsr

Note:

Furnish copy tomorrow

B/o

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