

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6168 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 12.4.2016 passed in CrI.M.P.No.145 of 2016 in Crime No.165 of 2015 on the file of the I Additional Sessions Judge, Chittoor.

Heard and perused the material available on record.

Petitioner herein filed the impugned application seeking to release the vehicle i.e., JCB bearing No.AP-03-BG-7505 seized in the above crime. But the said application was dismissed by the Court below 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 livelihood, and 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. JCB bearing No.AP-03-BG-7505 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 Rs.3,00,000/- (Rupees Three lakhs only) with one surety for the like sum to the satisfaction of the Judicial First Class Magistrate, Palamaner, Chittoor 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 : 25.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 12.4.2016

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