

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.259 of 2016

ORDER:

The petitioner preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the order dated 31.12.2015 passed in Crl.M.P. No.172 of 2015, by the V Additional Judicial Magistrate of First Class, Tirupathi, Chittoor District.

The petitioner filed an application before the Court below under Section 451 Cr.P.C., seeking interim custody of his vehicle i.e. Lorry bearing registration No.KA 53 B 8114. The learned Magistrate, while ordering release of the said vehicle imposed the following conditions:

- (i) The petitioner shall execute a self bond for Rs.20,00,000/- with one surety for like sum.
- (ii) The petitioner shall produce the original registration certificate at the time of fling of solvencies for comparison.
- (iii) Photographs shall be taken to the said property with the expenses of the petitioner and keep the same in the record.
- (iv) He shall not alter or alienate or dispose the item in any manner till disposal of the case.
- (v) He shall undertake to produce the said item intact whenever and wherever required by the Court, till final disposal of the case.

Aggrieved over the condition No.(i) the above conditions, the petitioner filed the present revision.

Heard and perused the material available on record.

Considering the facts and circumstances of the case, condition No.(i) in the order passed by the Court below is modified as follows:

The Court below is directed to release the vehicle i.e. Lorry bearing registration No.KA 53 B 8114 shall be released to the interim custody of the petitioner on his executing a personal bond for a sum of Rs.10,00,000/- (Rupees ten lakhs only) with one surety for the like sum.

The other conditions in the order impugned shall remain unaltered.

With the above modification, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

February 11, 2016.

KTL