

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.11145 of 2016

ORDER

This Criminal Petition is filed under Section 482 Cr.P.C. to direct the Station House Officer, Prohibition & Excise Station, Kalwakurthy, to forthwith release of vehicle bearing No.TS 06 EE 1633 (TVS XL Super Heavy Duty BSIII) seized in PCOR No.105 of 2016 (on the file of Additional Judicial Magistrate of First Class, Kalwakurthy).

Heard both sides and perused the record.

Having regard to the facts and circumstances of the case, the petitioner/accused is granted interim custody of the seized vehicle bearing registration No.TS 06 EE 1633 (TVS XL Super Heavy Duty BSIII), subject to the condition that he proves the ownership of the said vehicle and furnishes a personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with one surety and also on further conditions, viz.,

- (i) the petitioner shall not tamper with the vehicle in any manner and shall maintain the vehicle as it stands as on today;
- (ii) the petitioner shall deposit the title documents, and produce the vehicle as and when directed by the trial Court without affecting the right of forfeiture available to the Department;
- (iii) the petitioner shall produce the vehicle as and when directed by the trial Court, without affecting the right of forfeiture available to the Department;
- (iv) the custody is only interim custody; consequently the petitioner shall not put the vehicle to any use other than his personal use, and
- (v) the petitioner shall not sell or otherwise dispose of or alienate the vehicle until disposal of the main case.

Accordingly, this Criminal Petition is disposed of.

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

M.S.K.JAISWAL,J

Date:01.08.2016

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