

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CrI.P.No.5400 of 2016

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ORDER

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This petition under Section 482 r/w.457 Cr.P.C. is filed by the petitioner seeking to direct the Station House Officer, Thorrur Prohibition and Excise Station, Warangal District, to release the lorry bearing Reg. No.AP-12-V-1978 worth Rs.3 lakhs seized in C.O.R.No.103 of 2016 of Thorrur Prohibition and Excise Station, Warangal District.

2. Heard learned counsel for the petitioner and learned Public Prosecutor for the State.

3. The case of the prosecution is that on 07.03.2016, on reliable information, the Prohibition and Excise Officials conducted vehicle check at the outskirts of Thorrur, intercepted a lorry bearing No.AP-12-V-1978 and found transporting white jaggery, which is used for manufacturing illicit liquor, and after enquiry, they seized the said lorry along with the stocks.

4. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and if the vehicle is kept idle for a long period, there is every possibility of it getting damaged. He further submitted that the petitioner is ready to furnish sufficient surety and also produce the vehicle as and when required by the Court.

5. Learned Additional Public Prosecutor objects for the same

since the vehicle is involved in a crime.

6. Considering these circumstances, it is directed that the vehicle i.e. lorry bearing registration No. AP.12-V-1978 shall be released for interim custody of the petitioner, subject to final orders to be passed in the main case, on the petitioner 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 at Thorrur, Warangal 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 the petitioner shall undertake to produce the vehicle as and when required by the Court. However, it is made clear that the present order will not stand in the way of any confiscation proceedings. If already confiscation orders are passed, the order need not be given effect to.

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

JUSTICE RAJA ELANGO

19th April, 2016

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