

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2604 OF 2016

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ORDER:
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Petitioner-Owner of the Vehicle filed this Criminal Petition by invoking the provision under Section 482 of Cr.P.C. being aggrieved by the order dated 22.02.2016 passed in CrI.M.P.No.185 of 2016 in Crime No.26 of 2016 by the Judicial Magistrate of First Class at Metpally.

Heard.

Petitioner herein filed the impugned application under Section 451 of the Code of Criminal Procedure seeking to return the vehicle viz., J.C.B. bearing registration No.TS TSO TGTR 6967, yellow colour, Machine No.1492471, Chassis No.HAR 3DXXTHO 1492471 and the said application was dismissed by the learned Magistrate vide impugned order. Challenging the same, the present revision 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 daily works. 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. viz., J.C.B. bearing registration No.TS TSO TGTR 6967, yellow colour, Machine No.1492471, Chassis No.HAR 3DXXTHO 1492471, shall be

released for interim custody of the petitioner, 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 Magistrate of First Class, Metpally, and also on production of original R.C. book. It is further directed that the petitioner shall not alienate or change the physical features of the vehicle till the disposal of the criminal case and further he shall undertake to produce the vehicle as and when required by the Court below.

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

JUSTICE RAJA ELANGO

26.02.2016

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CRIMINAL REVISION CASE No.2604 OF 2016

DATED 8th October, 2015.

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