

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1993 OF 2016

ORDER:

The petitioner filed this Criminal Petition under Section 482 Cr.P.C. praying to quash the order dated 10-02-2016 in CrI.M.P.SR.No.140 of 2016 in Crime No.71 of 2016 on the file of the Court of Special Judicial First Class Magistrate, Prohibition and Excise Cases, Warangal and order for release of Auto Trolley bearing No.AP 36 TB 5293 seized under crime No.71 of 2016 on the file of Prohibition and Excise Station, Wardhannapet, Warangal District.

Heard and perused the records.

Learned counsel for the petitioner submitted that if the vehicle is kept idle for a long period, there is every possibility of getting it damaged and that the petitioner is ready to produce the vehicle as and when required by the Court below.

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. a Auto Trolley bearing No.AP 36 TB 5293 shall be released for interim custody of the petitioner, subject to

final orders to be passed in the criminal case in connection with the above crime, on his executing a personal bond for a sum of Rs.80,000/- (Rupees Eighty Thousand only) with one surety for the like sum to the satisfaction of the trial court 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. However, it is made clear that the present order will not stand in the way of confiscation proceedings, if any, already passed. Further, this order does not preclude the authorities from passing any confiscation proceedings.

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

JUSTICE RAJA ELANGO

Date : 17.02.2016

skmr

