

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

Criminal Petition No.11852 of 2016

ORDER :

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The petitioner/owner of the tractor bearing Reg.No.AP 22 AP 5957 filed this Criminal Petition under Section 482 read with Section 451 Cr.P.C. praying to set aside the dismissal order in Crl.M.P.No.179 of 2016 in Cr.No.18 of 2016 of Narwa Police Station, dated 02-08-2016 passed by the Judicial First Class Magistrate, Aatmakur by directing Judicial First Class Magistrate, Aatmakur to release the Tractor bearing Reg.No.AP 22 AP 5957.

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. Tractor bearing Reg.No.AP 22 AP 5957 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.1,00,000/- (Rupees One Lakh 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 M.S.K.JAISWAL

Date : 12.08.2016

Note : Issue C.C. today.

B/O

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