

HONOURABLE SRI JUSTICE M.S.K.JAISWAL

CRL.P.No.7055 of 2016

ORDER:

This petition is filed seeking to release the Hero Honda Splendor bearing No.A.P. 36 AD 0692 in COR No.69 of 2016 on the file of the Prohibition and Excise Station, Mulugu, Warangal District.

The aforesaid vehicle of the petitioner was seized by the Excise Police while transporting illicit liquor and a case in COR No.69 of 2016 was registered. The petitioner sought for interim custody of the vehicle by filing a petition and the learned Magistrate by order dated 20.04.2016 returned the said petition holding that he has no jurisdiction to entertain the said petition.

The petitioner claimed that he is the owner of the aforesaid vehicle and seeks for interim custody of the vehicle. Detention of the vehicle with the police certainly would cause damage to the vehicle if it is not put to use. I, therefore, consider it appropriate to grant interim custody of the vehicle in favour of the petitioner.

Accordingly, this Criminal Petition is allowed. The vehicle in question shall be handed over to the interim custody of the petitioner during the pendency of the case before the trial court on condition of the petitioner producing proof of ownership of the vehicle and executing a personal bond of Rs.50,000/- (Rupees Fifty thousand only) with one surety in a like sum to the satisfaction of the Judicial Magistrate of First Class, Mulugu, Warangal District, and on further conditions as follows:

- (1) that the petitioner shall produce the vehicle before the trial Court as and when directed by the trial Court,
- (2) the petitioner shall not alienate or dispose

of the vehicle without prior permission of the Court
and

(3) the petitioner shall not alter the shape or
condition of the vehicle without prior permission of the
Court.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

01-06-2016

Gsn