

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.468 OF 2016

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 29.01.2016 passed in CrI.M.P.No.174 of 2016 in C.O.R.No.31 of 2016 by the Additional Judicial Magistrate of First Class, Mahabubabad, whereby the learned trial Judge dismissed the petition filed by the petitioner for release of vehicle for want of jurisdiction.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petition filed by the petitioner before the Court below for release of the vehicle seized, is dismissed on the ground that the said Court has no jurisdiction to entertain such petition.

Considering the facts and circumstances, it is directed that the vehicle i.e., Swaraj Mazda bearing No.AP 36 W 5504 shall be released to the petitioner for interim custody, subject to final orders to be passed in main case, on his executing a personal bond for Rs.1,00,000/- (Rupees one lakh only) with one surety for a like sum to the satisfaction of the Additional Judicial Magistrate of First Class, Mahabubabad, and subject to production of all the documents relating to the vehicle in question. The petitioner shall also give an undertaking not to sell, alter or alienate the said vehicle and produce the same as and when directed by the trial Court. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

With the above direction, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

10.02.2016

pln