

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5350 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to release the vehicle of the petitioner i.e., Tata Sumo bearing Registration No.AP 03-W-3549 seized in Crime No.253 of 2011 of Alipiri Police Station, Chittoor District.

2. Heard and perused the material available on record.
3. The petitioner herein filed a petition under Section 457 Cr.P.C. before the IV Additional Judicial Magistrate of First Class, Tirupati seeking release of the aforementioned vehicle seized in connection with Crime No.253 of 2011 of Alipiri Police Station, Chittoor District for the offence punishable under Section 363 I.P.C. and the same was dismissed. Aggrieved by the same, the present Criminal Petition is filed.
4. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and if the vehicle is kept idle for a long period, there is every possibility of it getting damaged. He further submitted that the petitioner is ready to furnish sufficient surety and also produce the vehicle as and when required by the Court.
5. Learned Additional Public Prosecutor objected for the same since the vehicle is involved in a crime.
6. Considering these circumstances, it is directed that the vehicle i.e. Tata Sumo bearing Registration No.AP 03-W-3549 shall be released for interim custody of the petitioner, subject to final orders to be passed in the main case, on petitioner furnishing a bank guarantee for Rs.2,00,000/- (Rupees Two lakhs only) with one surety for the like

sum to the satisfaction of the IV Additional Judicial Magistrate of First Clas, Tirupati, Chittoor District, 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, the petitioner shall undertake to produce the vehicle as and when required by the Court. However, it is made clear that the present order will not stand in the way of any confiscation proceedings. If already confiscation orders are passed, the order need not be given effect to.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

18.4.2016
AMD

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