

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5700 OF 2016

-
ORDER:

-
The petitioner has preferred the criminal petition by invoking the provisions under Section 482 of Code of Criminal Procedure (Cr.P.C.) seeking to direct the Station House Officer, Chintalapudi Prohibition and Excise Station, West Godavari District, to release the CD Shine Motor Cycle bearing Registration No.AP 37 BY 6292 seized in Crime No.1256 of 2015-2016.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner is the owner of the aforesaid vehicle and if the vehicle is kept idle for a long period, it will get damaged and hence, he prays to allow the petition.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances, it is directed that the vehicle i.e., CD Shine Motor Cycle bearing Registration No.AP 37 BY 6292 shall be released to the petitioner for interim custody, subject to final orders to be passed in the main case, on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with one surety for a like sum to the satisfaction of the learned Judicial First Class Magistrate, Chintalapudi, West Godavari District, 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.

The Criminal Petition is disposed of. Consequently, the miscellaneous petitions filed in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

20.04.2016

pln