

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.14022 OF 2016

ORDER:

The present petition is filed, under Section 482 Cr.P.C., requesting to set aside the order, dated 14.09.2016, passed by the Judicial Magistrate of First Class, Deverakonda, in CrI.M.P.No.2107 of 2016 in Crime No.131 of 2016 of P.S. Dindi, and to grant interim custody of the lorry bearing registration No.AP-24-TC-4219 in favour of the petitioner.

2. Heard.

3. Learned counsel for the petitioner has placed the orders passed by this court consistently in some of the similar petitions earlier filed relating to release of vehicles. Such orders are in CrI.P.No.4566 of 2014, dated 23.04.2014, CrI.Rc.No.2553 of 2014, dated 31.12.2014 and CrI.P.No.7656 of 2016, dated 07.06.2016.

4. In these orders, there has been reference to the decision of the Honourable Supreme Court in **Surenderbhai Ambalal Desai v. State of Gujarat**¹, and this court, has granted interim custody by imposing certain conditions.

5. Keeping in view, the earlier orders, on the following conditions, the request of the petitioner is acceded to.

¹ 2002 (10) SCC 283

i) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class, Deverakonda.

ii) The petitioner shall not alter the physical features of the lorry bearing registration No.AP-24-TC-4219.

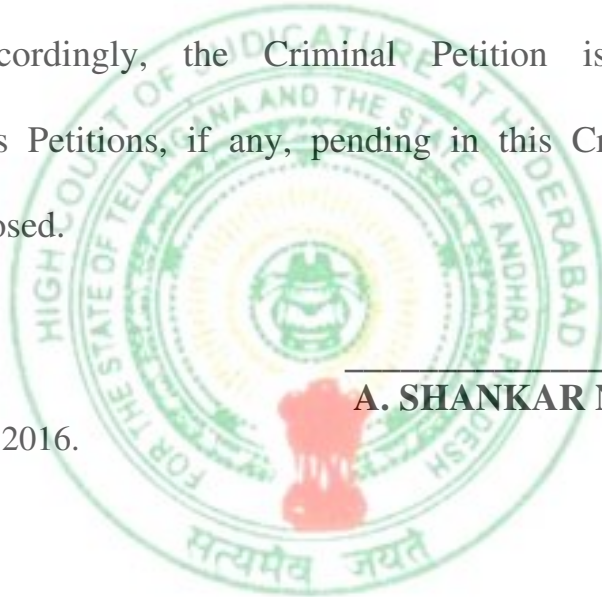
iii) The petitioner shall not alienate or encumber the lorry.

iv) The petitioner shall produce the lorry as and when required by the trial Court.

6. Accordingly, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

September 30, 2016.
MD

A. SHANKAR NARAYANA, J



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