

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1332 OF 2016

ORDER:

This revision is preferred challenging the docket order, dated 28.4.2016, passed in CrI.M.P.No.1595 of 2016 in Crime No.147 of 2016 on the file of the Special Judicial First Class Magistrate for Prohibition and Excise Cases – cum – XII Metropolitan Magistrate at L.B. Nagar, Ranga Reddy District, whereunder and whereby, the petition filed by the petitioner for interim custody of the vehicle i.e., Auto Rickshaw bearing Registration No.AP 13X 7688 was returned.

2. The petitioner herein filed a petition under Section 451 read with 457 Cr.P.C. seeking release of the aforesaid vehicle seized by Malkajgiri Police in connection with Crime No.147 of 2016 for the offence punishable under Section 34 (A) of the A.P. Excise Act. The Court below returned the said application on the ground that the said application is not maintainable. Aggrieved by the same, the present revision is filed.

3. 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.

4. Learned Additional Public Prosecutor objected for the same, since the vehicle is involved in a crime.

5. Considering these circumstances, it is directed that the vehicle i.e. Auto Rickshaw bearing Registration No.AP 13X 7688 shall be released for interim custody of the petitioner, subject to final orders to be passed in the main case, on petitioner furnishing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with one

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Date: 7.6.2016

AMD