

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6117 of 2016

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ORDER

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This petition under Section 482 r/w.457 Cr.P.C. is filed by the petitioner seeking to direct the Station House Officer, Kamareddy Prohibition and Excise Station, Nizamabad District to release the auto bearing Reg. No. AP-20-TV-1594 worth Rs.50,000/- seized in C.O.R.No.296 of 2015-16 of Kamareddy Prohibition and Excise Station, Nizamabad District.

2. Heard learned counsel for the petitioner and learned Public Prosecutor for the State.

3. The case of the prosecution is that on 09.12.2015 at 11.30 AM., the police conducted routine watch and found illegal possession and transportation of Navasagaram in Tata Magic Vehicle bearing No.AP-20-TV-1594 and seized the vehicle along with the contraband and arrested the accused.

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 objects for the same since the vehicle is involved in a crime.

6. Considering these circumstances, it is directed that the vehicle i.e. auto bearing registration No. AP-20-TV-1594 shall be released for interim custody of the petitioner, subject to final orders to be passed in the main case, on the petitioner executing a personal bond for Rs.50,000/- (Rupees fifty thousand only) with one surety for the like sum to the satisfaction of the Judicial First Class Magistrate, Kamareddy, Nizamabad District. 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. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition, shall stand closed.

JUSTICE RAJA ELANGO

25th April, 2016

sj