

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2374 OF 2014

ORDER:

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This Criminal Petition, under Section 482 Cr.P.C., is filed by the Petitioner seeking to direct the 2nd respondent – Deputy Commissioner of Prohibition and Excise, Khammam, to return the bank guarantee No.30832018044. executed by the petitioner for a sum of Rs.50,000/- of State Bank of India, Chilakallu Branch, Krishna District.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the vehicle of the mother of the petitioner was seized in connection with Crime No.68 of 2009 of V.M.Banjara Police Station, Khammam District and the same was released on furnishing bank guarantee of Rs.5,000/-, vide orders of this Court in WPMP No.12581 of 2009 in WP No.9665 of 2009. Subsequently, the proceedings in Crime No.68 of 2009 were quashed by this Court in CrI.P. No.5536 of 2009. The petitioner filed the impugned application before the Additional Judicial Magistrate of First Class, Satupalli, to return the bank guarantee furnished by him, but the Court below returned the said application on the ground of jurisdiction.

Considering the facts and circumstances of the case and also taking into consideration the submission of the learned counsel for the petitioner, this Court is inclined to pass the following order:

The 2nd respondent – Deputy Commissioner of Prohibition & Excise, Khammam, is directed to return the bank guarantee No.30832018044 of the State Bank of India, Chilakallu Branch, Krishna District, for a sum of Rs.50,000/- executed by the petitioner in favour of the 2nd respondent, to the petitioner.

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

April 01, 2016.
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RAJA ELANGO, J