

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3871 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.) being aggrieved by the order dated 09.03.2016 passed in CrI.M.P.No. of 2016 in P.C.O.R.No.30 of 2016 by the Additional Judicial Magistrate of First Class, Kalwakurthy, whereby the learned trial Judge returned the petition filed by the petitioner for release of vehicle for want of jurisdiction.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the Court below erroneously dismissed the petition filed by the petitioner for release of the vehicle for want of jurisdiction.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances, it is directed that the vehicle i.e., Bike bearing No.AP 22 AK 6769 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.30,000/- (Rupees thirty thousand only) with one surety for a like sum to the satisfaction of the learned Magistrate concerned, 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

21.03.2016

pln