

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1307 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973, requesting to relax the condition No.1 imposed by the learned Metropolitan Sessions Judge - cum – Special Court for NDPS Cases, Visakhapatnam on 03.10.2016 in CrI.M.P.No.2839 of 2016 in Crime No.23 of 2016 of Pedabayalu Police Station, while releasing the vehicle i.e., Pulsar 150 DTS-I BSIII bearing No.AP 31 DG 1054. The condition would read thus:

“The petitioner shall furnish a fixed deposit equivalent to the value of the vehicle as determined by the Motor Vehicle Inspector and to the satisfaction of the Judicial First Class Magistrate, Paderu.”

2. Sri N. Sravan Kumar, learned counsel for the petitioner, would represent that the petitioner is ready to deposit its actual cost when it was purchased. However, the petitioner has not filed any material along with the petition. In fact, in a case of this nature, the condition imposed by the Court below cannot be faulted, as the Motor Vehicle Inspector is the authority to assess the value of the vehicle by examining it physically, for which a request can be made, by complying with due formalities, for payment of amount towards services rendered by the Motor Vehicle Inspector through challan, as per the procedure. There is no merit in the petition.

3. Accordingly, the criminal petition is dismissed at admission stage.

4. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

February 13, 2017.

mar

