

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.249 OF 2017

ORDER:

This Revision is filed against the docket order dated 20.12.2016 in CrI.M.P. SR No.7821 of 2016 in CRP No.85 of 2016 of the learned IV Additional Junior Civil Judge, Tirupati.

2) Heard learned counsel for the petitioner and perused the material on record.

3) Leave about the maintainability under Section 397 Cr.P.C, even otherwise to take under Section 482 Cr.P.C, the very application invoking Chapter XXXIV Cr.P.C much less under Section 451 Cr.P.C thereunder, for return of the keys of the house under the seizure in relating to the forest offences with reference to red sandal wood logs since not maintainable before the learned Magistrate, but for to approach the concerned Forest authorities; there is nothing to admit but for to say the learned Magistrate's order impugned supra, giving liberty to renew the application of the petitioner after filing charge sheet was unsustainable as he has no jurisdiction or power as per the expression of the Apex Court in *State of Karnataka vs K.A.Kunchindammed*¹.

4) Having regard to the above, the revision is dismissed before admission giving liberty to petitioner to approach the concerned authorities of Forest Department.

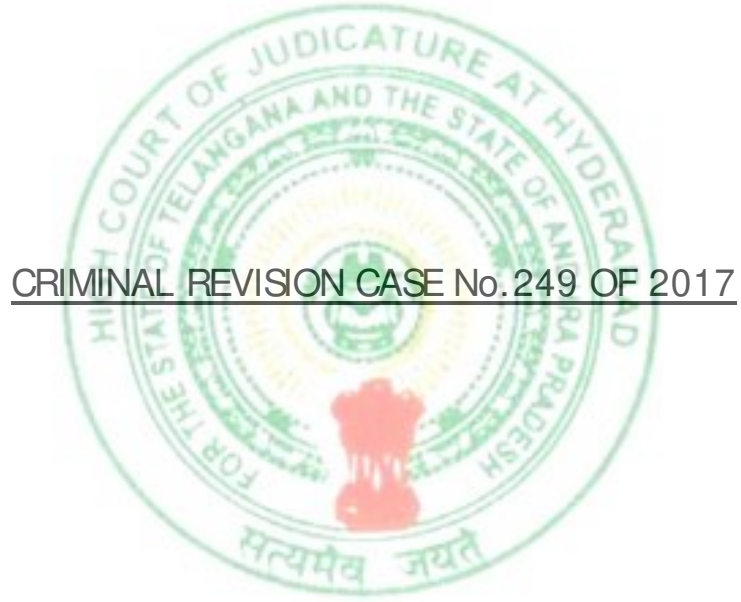
As a sequel, miscellaneous petitions if any pending shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.02.02.2017
knl

¹ 2002 (9) SCC 90

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO



Date:02.02.2017

kn1