

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL PETITION No.1208 of 2017**

**ORDER :**

Heard Sri K.J.V.N. Pundareekshudu, learned counsel for the petitioner. His submission is that in a petition filed under Section 457 of the Code of Criminal Procedure, 1973, a request was made by the petitioner for release of the tractor and trailer bearing Nos.AP 30 U/0718 and AP 30 W/7010 respectively, wherein the learned Judicial First Class Magistrate, Amudalavalasa, has returned the same by an endorsement, which reads thus:

“Returned 20.12.2016

How this maintainable return of property.

Hence the petition is returned”

2. In fact, it is not known from the said endorsement whether the learned Magistrate either rejected or refused to entertain the petition. However, the petitioner is obligated with the duty to re-present the petition by answering the query instead of rushing to this Court. Therefore, the petitioner is directed to answer the query and re-submit the petition before the learned Magistrate.

3. The Registry is directed to return the petition and affidavit i.e., pages 4 to 6 in the material papers, to the learned counsel for the petitioner forthwith.

4. Accordingly, the criminal petition is disposed of at the admission stage itself.

5. Miscellaneous petitions pending, if any, shall stand dismissed.

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**A. SHANKAR NARAYANA, J**

15<sup>th</sup> February 2017.

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