

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.3127 OF 2017

JUDGMENT:

Heard Sri B. Muralidhar, learned counsel for the revision petitioner, and the learned Special Assistant Public Prosecutor for the State of Telangana.

2. The revision petitioner, questioning the order, dated 11.07.2017, in CrI.M.P. No.274 of 2017 in Crime No.28 of 2017 of Matwada Police Station, passed by the learned I Additional Sessions Judge, Warangal, whereby and where-under, the request to give the Bajaj Auto-rickshaw bearing registration No.AP 36TA 5877 towards interim custody, was rejected, on the ground that the said vehicle is required for marking as an exhibit, filed the present Criminal Revision Case under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for short 'Code').

3. The stage at which the said application was filed under Section 451 of the Code was at crime stage. Investigation is yet to be completed, later charge sheet to be filed and trail has to take place which may take considerable time. Meanwhile, if the vehicle is kept unused, there is every likely-hood of it becoming useless. Therefore, on the following conditions, the Criminal Revision Case is allowed, ordering return of the aforesaid vehicle towards interim custody.

- i) The revision petitioner shall not alter or change the nature of the Bajaj Auto-rickshaw;
- ii) He shall produce the same as and when directed by the trial Court;
- iii) He shall furnish third party security in the form of submitting the original title deeds for the value of Rs.2,00,000/- (Rupees two lakhs only), which title deed shall remain in the Court till disposal of the main case; and
- iv) He shall also deposit with the Court the Registration Certificate of the vehicle by duly retaining a certified copy thereof for the purpose of satisfying the authorities wherever obstructed.

As a sequel thereto, miscellaneous petitions, if any, pending in the present revision, stand closed.

A. SHANKAR NARAYANA, J

December 06, 2017.

Mgr