

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1445 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner, requesting to modify the order, dated 19.07.2017, passed in Cr.No.415/2016/P&Ex/A2, by the Deputy Commissioner of Prohibition and Excise, Khammam, and to give interim custody of the vehicle bearing registration No.TS-04-KTR-8540 to him.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Vide the aforementioned proceedings, the Deputy Commissioner of Prohibition and Excise, Khammam, directed the petitioner to furnish F.D.R. for Rs.41,000/- from any nationalised bank to grant interim custody of the subject vehicle. The learned counsel for the petitioner would submit that the petitioner is ready to furnish third-party guarantee instead of furnishing F.D.R. Under these circumstances, this Court deems it appropriate to dispose of this Criminal Petition with appropriate direction/modification.

4. Accordingly, the interim custody of the subject vehicle bearing registration No.TS-04-KTR-8540 is ordered to be given to the petitioner subject to his executing a personal bond for a sum of Rs.41,000/- (rupees forty one thousand only) with one

surety in a like sum to the satisfaction of the Deputy Commissioner of Prohibition and Excise, Khammam. The surety shall be having land and property.

5. With the above direction/modification, this Criminal Petition is disposed of.

Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

09th February, 2018
Bvv

