

HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.1774 of 2017

ORDER:

Heard the counsel for the petitioner and the learned Public Prosecutor appearing for the respondent-State.

The present revision case is filed questioning the docket order dated 26.06.2018 passed in CrI.M.P.No.1064 of 2018 in Crime No.317 of 2018 on the file of the VI Metropolitan Magistrate, Cyberabad, at Medchal, R.R. District, dismissing the petition seeking return of the case property i.e. Maruthi Omni vehicle No. TS 11 EA 3978 worth Rs.1,00,000/-.

The facts of the case are that when the petitioner who is the owner of the subject vehicle, was transporting the public distribution system rice in the subject vehicle, the same was seized and the case was registered vide F.I.R. No.317 of 2018 for the offence under Section 420 IPC and Section 7 of Essential Commodities Act. When the case is under investigation, the petitioner filed CrI.M.P.No.1064 of 2018 seeking return of the subject property. The said petition was dismissed by docket order dated 26.6.2018. Aggrieved by the same, the present revision case is filed.

Learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in the case and the subject vehicle has been seized and that he is ready to furnish surety for the safe custody of the vehicle and also will not alienate or change the nature of the vehicle till the conclusion of the proceedings under the provisions of the Essential Commodities Act.

Learned Public Prosecutor has not opposed the said relief sought in the present revision case. However, he requested the Court to impose conditions, so that the interest of the prosecution is safeguarded.

Having regard to the submissions made by both the learned counsel and from the perusal of the material on record, this Court deems appropriate to release the case property i.e. Maruthi Omni vehicle No. TS 11 EA 3978 to the petitioner subject to petitioner furnishing third party security for a sum of Rs.1,00,000/- (Rupees one lakh only) to the satisfaction of the VI Metropolitan Magistrate, Cyberabad, at Medchal, R.R. District. The petitioner is also directed not to alienate or change the nature of the subject vehicle till the conclusion of the proceedings, apart from depositing the original R.C. book before the Court below.

With the above said observations, the criminal revision case is disposed of.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date:25.07.2018.
CCM

HONOURABLE SRI JUSTICE P. KESHA VA RAO



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