

HON'BLE SRI JUSTICE P. KESAVA RAO

CRIMINAL REVISION CASE No.1900 of 2018

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 order dated 09.06.2018 passed in CrI.M.P.No.210 of 2018 in Crime No.11 of 2018 on the file of the Court of the Judicial Magistrate of First Class, Addateegala, dismissing the petition filed seeking the interim custody of the case property i.e. Goods Carriage MMV Container bearing No. TS05 UA 0593.

The facts of the case are that the petitioner is the owner of the subject vehicle. The said vehicle was seized in connection with the Crime No.11 of 2018 of Rajavommangi Police Station for transporting of 18 bullocks. Pursuant to the same, F.I.R.No. 11 of 2018 was registered for the offence under Section 10 of A.P. Prevention of Cow and Animal Slaughter Act, 1977 and Section 47(b) and 50 of Transport of Animals Rules 1978. During the pendency of the investigation, the petitioner filed CrI.M.P.No.210 of 2018 on the file of the learned Judicial Magistrate of First Class, Addateegala under Section 457 Cr.P.C. seeking the interim custody of the subject vehicle. The said petition has been dismissed by the learned magistrate on 19.06.2018. Aggrieved by the same, the present criminal revision case is filed.

Learned counsel appearing for the petitioner would contend that the petitioner is the owner of the case property and he is having all the valid documents for holding the said vehicle. The

learned counsel also submitted that if the vehicle is unused for a long period, and if it is exposed to the vagaries of the nature, there is every probability of the vehicle being damaged. He further submitted that if the case property is given to the petitioner, towards interim custody till the proceedings are concluded, the said vehicle will not be alienated and the nature of the vehicle will not be changed.

Learned Public Prosecutor appearing for the first respondent-State, fairly conceded that investigation is completed, however, conditions may be imposed while releasing the said vehicle.

Taking the said submissions into consideration, this Court deems it appropriate to release the case property i.e. Goods Carriage MMV Container bearing No. TS 05 UA 0593 to the petitioner on condition of the petitioner furnishing a third party security for a sum of Rs.50,000/- (Rupees fifty thousand only) to the satisfaction of the Judicial Magistrate of First Class, Addateegala. Further, the petitioner is directed not to alienate or change the nature of the vehicle till the criminal proceedings are concluded and he is further directed to deposit the original R.C. book before the learned Magistrate.

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

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHA VA RAO, J

Date:25.07.2018.
CCM

HONOURABLE SRI JUSTICE P. KESHA VA RAO



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