

HONOURABLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CRIMINAL REVISION CASE NO: 3 2 3 5 OF 2018

ORDER :

This Criminal Revision Case arising out of the order dated 29/10/2018 in CrI.MP.No. 1172 of 2018 in Crime No. 487 of 2016 of Medchal Police Station, Cyberabad, passed by the XV-Metropolitan Magistrate at Medchal, Ranga Reddy district.

2. The Revision Petitioner has filed a petition under section 451 of Cr.P.C. for return of the case property i.e., Lorry Container bearing Registration No. NL01-5221 to the petitioner for interim custody.

3. The learned XV-Metropolitan Magistrate, Medchal, on consideration of the material on record has ordered for the release of the Lorry Container No. NL01-5221 on a condition of executing a personal bond for Rs.8,00,000=00 [Rs. Eight Lakhs only] along with single surety and to furnish a written undertaking to the court that he will not sell, transfer, pledge or encumber or alter the nature of case property, i.e., Lorry Container No. NL01-5221.

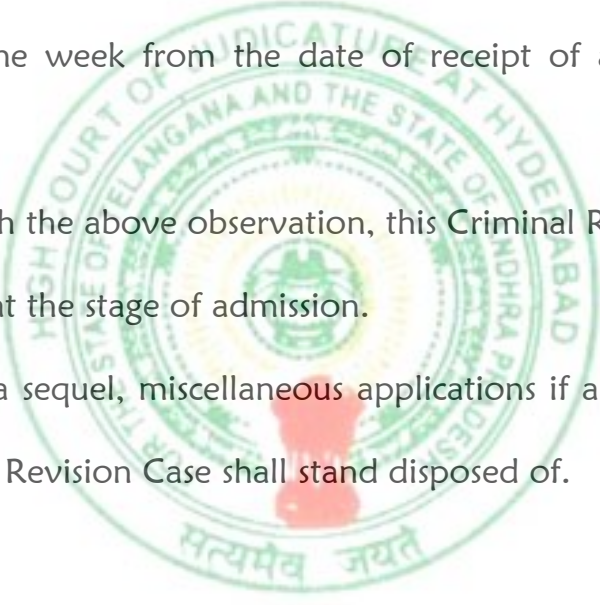
4. Aggrieved by the impugned order, the Revision Petitioner is before this Court seeking relaxation of the condition to reduce the surety amount.

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

6. The learned counsel for the petitioner submits that as per the Insurance Certificate filed by the Revision Petitioner, the value of the Lorry Container No. NL01-5221 in the year 2018 shown in the Policy was Rs.4,50,000=00 [Rs. Four Lakhs and fifty thousand only]. The trial Court has directed the Revision Petitioner to furnish security for Rs.8,00,000=00 appears to be on higher side, therefore, the order passed by the learned Magistrate is set aside. The trial Court is directed to assess the value of the Lorry Container No. NL01-5221 and pass appropriate orders within a period of one week from the date of receipt of a copy of this order.

7. With the above observation, this Criminal Revision Case is disposed of at the stage of admission.

8. As a sequel, miscellaneous applications if any, pending in this Criminal Revision Case shall stand disposed of.


JUSTICE GUDISEVA SHYAM PRASAD

28/11/2018
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NB: Furnish CC tomorrow

HONOURABLE SRI JUSTICE GUDISEVA SHYAM PRASAD

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[RESULT: DISPOSED OF]



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