

**THE HON'BLE SRI JUSTICE P.KESHA RAO**

**CRIMINAL REVISION CASE No.3141 OF 2017**

**ORDER:**

This Criminal Revision Case is filed questioning the orders passed in CrI.M.P.No.2165 of 2017 in Crime No.50 of 2017 dated 15.06.2017 on the file of Court of the First Metropolitan Magistrate at Vijayawada, dismissing the petition and rejecting the request of the petitioner for interim custody of the case property i.e. machines etc.

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

After hearing both the counsel and also a perusal of the impugned order, it is revealed that since the crime is related to Food Adulteration and investigation is not completed, the Court below was not inclined to entertain the petition at that stage. During the course of hearing, now, it is brought to the notice of this Court by the learned Public Prosecutor that the investigation is already completed and a charge sheet is filed.

In these circumstances, whether or not the petitioner is entitled to interim custody of the case property, depends on the points unearthed during the course of investigation which are incorporated in the charge sheet. In these circumstances, this Court is not inclined to interfere with the impugned proceedings.

Accordingly, the Criminal Revision Case is dismissed. However, liberty is given to the petitioner to move a separate petition afresh seeking the relief sought for in CrI.M.P.No.2165 of

2017 before the Court below and on filing such a petition, the learned First Metropolitan Magistrate at Vijayawada is directed to consider the same and pass appropriate orders in accordance with law.

Pending miscellaneous petitions, if any, shall also stand closed.

**P.KESHAVA RAO,J**

04<sup>th</sup> JULY 2018.  
Tsr

