

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION Nos.2282 and 2300 of 2019

COMMON ORDER:

Both the criminal petitions arise out of Crime No.39 of 2019 on the file of Chandur Police Station, Nalgonda District. This crime was registered under Sections 341 and 290 IPC, in the context of the marriage celebrations held on the main road with music being played through DJ boxes installed in the Ashok Leyland Dost Auto Vehicle bearing registration No.AP-24-TB-3154. The said Ashok Leyland Dost Auto Vehicle and the DJ boxes were seized. The petitioner in CrI.P.No.2282 of 2019, being the owner of the eight DJ boxes, filed CrI.M.P.No.425 of 2019 before the learned Judicial Magistrate of First Class, Special Mobile Court, Nalgonda, under Section 451 Cr.P.C., seeking release thereof. Similarly, the petitioner in CrI.P.No.2300 of 2019 filed CrI.M.P.No.424 of 2019 under Section 451 Cr.P.C. seeking release of his Ashok Leyland Dost Auto Vehicle.

By docket order dated 04.04.2019, the Court below dismissed CrI.M.P.No.424 of 2019 and by docket order dated 05.03.2019, the Court below dismissed CrI.M.P.No.4252 of 2019. The present criminal petitions are filed aggrieved by the aforesaid orders and for release of the Ashok Leyland Dost Auto Vehicle and the DJ boxes.

This Court is of the opinion that police custody of the Ashok Leyland Dost Auto Vehicle and the DJ boxes may not be necessary in the context of the pending investigation. Further, allowing these items to lie idle with the police may result in their becoming completely useless as they would fall into utter disrepair.

In that view of the matter, the criminal petitions are ordered directing release of the Ashok Leyland Dost Auto Vehicle and the DJ boxes

upon the petitioners herein furnishing security for the value thereof to the satisfaction of the learned Judicial Magistrate of First Class, Special Mobile Court, Nalgonda.

JUSTICE SANJAY KUMAR

Date:01.05.2019

Note:

Furnish CC by 03.05.2019.

(B/o) PGS

