

HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION No. 1554 of 2018

ORDER:

1. The present Criminal Petition is filed by the Telangana State Pollution Control Board, under Section 482 of Cr.P.C., questioning the order, dated 27.11.2017 passed in CrI.M.P.No.1631 of 2017 in Crime No.577 of 2017 on the file of the XV Metropolitan Magistrate, Cyberabad at Medchal, Ranga Reddy District, wherein and whereunder the learned Magistrate ordered interim custody of the case property to the 1st respondent herein.

2. The only prayer made by the learned counsel for the petitioner is that the 1st respondent herein has filed a petition seeking release of the case property without making the petitioner, who is the *de facto* complainant in the above crime, as party and the learned Magistrate also passed the order for release of the vehicle without hearing the petitioner and seeks certain directions to the learned Magistrate to deal with the matter afresh after hearing the petitioner.

3. In the light of the prayer made by the learned Counsel for the petitioner, the matter is remitted back to the XV Metropolitan Magistrate, Cyberabad at Medchal, Ranga Reddy District, with a direction to dispose of the said petition afresh, after affording an opportunity to both the parties i.e., the owner of the case property (petitioner therein) and the petitioner herein. Both the parties are directed to appear before the learned Magistrate on 05.02.2020 and the 1st respondent is directed to make an

application to implead the petitioner herein as party to the proceedings. The learned Magistrate is further directed to dispose of the petition, as expeditiously as possible, preferably, within a period of one month from the date of appearance of the parties.

4. With the above direction, the Criminal Petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

22.01.2020
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JUSTICE G. SRI DEVI



