

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL REVISION CASE No.250 of 2022

ORDER:

1. Challenge in this Criminal Revision Case is the order that is rendered by the Court of Sessions Judge at Nizamabad in CrI.A.No.29 of 2021 dated 07.03.2022.
2. Heard the submission of learned Assistant Public Prosecutor who is representing the petitioner as well as learned counsel for the respondent.
3. By the material available on record and upon hearing the parties, what could be perceived is that the Authorized Officer i.e., the Forest Divisional Officer, Kamareddy, issued proceedings confiscating the vehicle i.e., Tractor bearing registration No.AP-04-TX-4974 to the Government. The respondent herein on the ground that he is the owner of the said vehicle and the order of confiscation is unjustifiable, preferred appeal *vide* CrI.A.No.29 of 2021. The learned Sessions Judge, Nizamabad, through order dated 07.03.2022 has set aside the order of confiscation

passed by the Forest Divisional Officer, Kamareddy, and ordered release of the said vehicle. Aggrieved by the same, the State is before this Court.

4. Learned Assistant Public Prosecutor making his submission contends that the vehicle is involved in the offence in question and a blanket order of release of vehicle was issued and the production of vehicle would be required during the course of proceedings before the concerned Court and therefore, at least terms and conditions ought to have been imposed while release of vehicle, but the Court did not do so.

5. Learned counsel for the respondent states that he has no objection to order release of vehicle by imposing the required terms and conditions.

6. Having considered the submission thus made, and as the request of the learned Assistant Public Prosecutor is found justifiable, this Court considers desirable to order release of vehicle with required terms and conditions.

7. Thus, the Criminal Revision Case is disposed of with the following directions:

The Tractor bearing registration No.AP-04-TX-4974 shall be released by the Authorized Officer i.e., the Forest Divisional Officer, Kamareddy, on the respondent executing a personal bond for Rs.2,00,000/- (Rupees two lakhs only) with two sureties for a like-sum each to the satisfaction of the said Authorised Officer. The respondent shall not alienate the said vehicle or change its physical features till the disposal of proceedings. Further, the respondent shall produce the said vehicle before the concerned authorities as and when directed to do so.

8. As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr.JUSTICE CHILLAKUR SUMALATHA

Dt.12.09.2022

Note: Issue C.C. by tomorrow.

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