IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF APRIL TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5231 OF 2026

Between:

Shaganti Venkanna, S/o Bakkaiah, Age 42 years, Occ: Coolie, R/o C-124 (2), Vissampally Village, Chinnagudur Mandal, Mahabubabad District

...PETITIONER/PETITIONER

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad
2. Sri G. Kishan, S/o Not known, Age Major, Occ: Head Constable 2178, PS Chinna Gudur, Mahabubabad District

...RESPONDENT No.2/DE-FACTO COMPLAINANT

Petition under Section 528 of BNSS, praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the order in Crl.M.P.No.1049 of 2024 dated 17/10/2024 in CC No 684 of 2024 on the file of Judicial First Class Magistrate at thorrur, Mahabubabad District and consequently to direct the P.S Chinna Gudur to release the vehicle i.e Mahindra and Mahindra Tractor bearing No TS 26-TR9185 with trailer No TS-26-TR-0529 in.

I.A. NO: 2 OF 2026

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the P.S.Chinna Gudur to release the vehicle i.e. Mahindra & Mahindra Tractor bearing No.TS 26-TR9185 with Trailer No.TS-26-TR-0529 in CC.No.684 of 2024 on

the file of the Judicial First Class Magistrate at Thourrur in FIR No.57 of 2024 dated 04-05-2024.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Angothu Nehru, Advocate for the Petitioner and Mr. Jithender Rao Veeramalla, the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None appeared for Respondent no.2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5231 of 2026

Date: 27.04.2026

Between:

Shaganti Venkanna

...Petitioner

AND

The State of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad and another.

...Respondent

ORDER

This Criminal Petition has been filed aggrieved by the dismissal order passed by the Junior Civil Judge cum Judicial First Class Magistrate at Thorrur in Crl.M.P.No.1049 of 2024 in C.C.No.684 of 2024 on the file of Judicial First Class Magistrate at Thorrur, Mahabubabad District, seeking interim custody of the petitioner's vehicle namely Mahindra & Mahindra Tractor, bearing registration No.TS-26-TR9185 with Trailer No.TS-26-TR-0529.

2. Heard Mr. Angothu Nehru, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1.

3. With their consent, the Criminal Petition is dispose of at the stage of admission.

4. Learned counsel for the petitioner submitted that the petitioner is the owner of Mahindra & Mahindra Tractor, bearing registration No.TS-26-TR9185 with Trailer No.TS-26-TR-0529 and the said vehicle was seized by the Station House Officer, P.S. Chinnagudur, Mahabubabad District, in respect of Crime No.57 of 2024 on 04.05.2024. He further submitted that the petitioner is not an accused in the said crime, and he filed an application seeking release of the vehicle before the learned Junior Civil Judge cum Judicial First Class Magistrate at Thorrur. However, the trial Court, without properly considering the contentions raised by the petitioner, erroneously dismissed the said application on 17.10.2024. The vehicle has been in the safe custody of the Police Station premises, Chinnagudur, Mahabubabad District, for the past one and half year and the petitioner is ready and willing to abide by the conditions which are going to be imposed by this Court. He also submitted that the petitioner is using the vehicle for his personal use and unless the vehicle is released, the petitioner will be put to great hardship.

5. *Per contra*, learned Additional Public Prosecutor submits that the petitioner is not entitled to seek interim custody of the vehicle till disposal of the said case before the Trial Court.

6. Having considered the rival submissions made by the respective parties and after perusal of the record, it reveals that the petitioner's vehicle was seized in respect of Crime No.57 of 2024 dated 04.05.2024 and since then, the vehicle was kept under the safe custody of Police Station premises in Chinnagudur Police Station, Mahabubabad District. Even according to the Police, the petitioner is not an accused in the said crime.

7. Taking into consideration the peculiar facts and circumstances of the case, the impugned order passed by the Junior Civil Judge cum Judicial First Class Magistrate at Thorrur in Crl.M.P.No.1049 of 2024 in C.C.No.684 of 2024 on the file of Judicial First Class Magistrate at Thorrur, Mahabubabad District, is set aside and this Court is inclined to grant interim custody of the petitioner's vehicle namely Mahindra & Mahindra Tractor, bearing registration No.TS-26-TR9185 with Trailer No.TS-26-TR-0529, subject to the condition that the petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the learned Junior Civil Judge

cum Judicial First Class Magistrate at Thorrur and also on his furnishing an undertaking that he shall not alienate the vehicle, shall not change its physical features, till the disposal of the proceedings, and he shall produce the vehicle as and when required. The Station House Officer, Chinnagudur Police Station shall write to the RTA authority not to transfer the vehicle in favour of any third party till the disposal of Crl.M.P.No.1049 of 2024 in C.C.No.684 of 2024 on the file of the Junior Civil Judge cum Judicial First Class Magistrate at Thorrur.

8. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

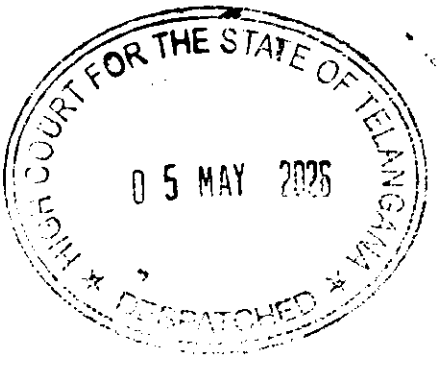
To

1. The Junior Civil Judge-cum-Judicial First Class Magistrate at Thorrur.
2. The Station House Officer, Chinna Gudur Police Station, Mahabubabad District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. Angothu Nehru, Advocate [OPUC]
5. Two CD Copies

Pr/KA

HIGH COURT

DATED: 27/04/2026



ORDER

CRLP.No.5231 of 2026

DISPOSING OF THE CRL.PETITION

(8)

kpr
4/5/26