

APHC010587782025



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3396]

THURSDAY, THE NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE No: 1220/2025

Between:

L.GOPI KRISHNA, S/O LAKSHMANA MURTHY, AGED 29 YEARS, OCC
EMPLOYEE, RESIDING AT 6-8-12 A, P.L.ROAD, HINDUPUR, SRI SATYA SAI
DISTRICT.

...PETITIONER

AND

THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS STATION
HOUSE OFFICER, PARIGI POLICE STATION, THROUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF A.P., AMARAVATI.

...RESPONDENT

Counsel for the Petitioner:

1. SESHADRI GOALLA

Counsel for the Respondent:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The instant Criminal Revision Case under Sections 438 and 442 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') has been filed by the Petitioner seeking to set aside the Order dated 23.09.2025 in CrI.M.P.No.545 of 2025 in P.R.C.No.01 of 2025 passed by the learned Judicial Magistrate of First Class, Hindupur and to release the vehicle i.e., Ford Eco Sport car bearing Registration No.KA 03 MU 3957.

2. Heard Sri Golla Seshadri, learned counsel for the Petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor.

3. Learned counsel for the Petitioner would submit that the subject vehicle will be damaged due to continuous stoppage. It is further submitted by the learned counsel for the Petitioner and acceded to, by the learned Additional Public Prosecutor that the subject matter of this Criminal Petition is squarely covered by the Order passed by a Coordinate Bench of this Court vide Criminal Petition No.5470 of 2023, dated 05.09.2023.

4. Considering the submissions made, following the said Order passed by a Coordinate Bench of this Court in Criminal Petition No.5470 of 2023, dated 05.09.2023, and taking into consideration of the facts and circumstances of the case, this Court is inclined to allow the present petition. However, as the subject vehicle is involved in the accident and constitutes material evidence for the prosecution, and since keeping it idle may result in damage, it is appropriate to grant interim custody of the said vehicle subject to certain conditions.

5. In the result, Criminal Petition is allowed. The subject vehicle i.e., Ford Eco Sport car bearing Registration No.KA 03 MU 3957 which was seized in connection with Crime No.16 of 2024 on the file of Parigi Police Station, is ordered to be given to the Petitioner for interim custody-

(a) on producing the original R.C. and executing self bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs Only), with two sureties for the like sum each, to the satisfaction of the jurisdictional Magistrate concerned;

(b) on execution of an undertaking that he would not alienate the said vehicle or transfer the ownership of the same; and

(c) on execution of an undertaking that he would produce the vehicle as and when directed by the trial Court till the case is disposed of, in the trial Court.

(d) the concerned Police shall videograph the vehicle prior to handing over its custody to the Petitioner and preserve the said recording for evidentiary purposes.

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:09.04.2026

Note: Issue C.C by tomorrow

Dinesh

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Crl.R.C.No.1220 of 2025

Dt.09.04.2026

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