

THE HON'BLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION No.2943 OF 2025

ORDER:

1. The petitioner is aggrieved by the order, dated 28.11.2024, passed in CrI.M.P.No.953 of 2024, by the Metropolitan Sessions Judge-cum-I Additional District & Sessions Judge-Special Judge for Trial of Offences under the NDPS Act, Visakhapatnam. In the said order, the learned Sessions Judge imposed a condition of furnishing a bank guarantee of Rs.2,00,000/-, along with other conditions, for the release of the Auto-Rickshaw bearing registration number AP 39 UJ 7015, towards interim custody.
2. Heard the learned counsel for the petitioner.
3. The learned counsel for the petitioner submits that the petitioner is the owner of the vehicle, an Auto-Rickshaw bearing registration No.AP 39 UJ 7015, which was seized by the police in Crime No.135 of 2024 of Pendurthi Police Station for the alleged offence under the NDPS Act.
4. The learned counsel further submits that the learned Sessions Judge, while granting interim custody of the vehicle, has imposed certain conditions. These include executing a personal bond of Rs.2,00,000/- with one surety for the like sum to the satisfaction of

the learned Magistrate and furnishing a bank guarantee of Rs.2,00,000/- among other requirements. The learned counsel further contends that the condition of furnishing a bank guarantee and also furnishing one surety is onerous.

5. Having considered the submissions made by the counsel for the petitioner, this Court deems it appropriate to modify the order of the learned Sessions Judge by setting aside the condition to furnish a bank guarantee of Rs.2,00,000/-, while the rest of the order remains unchanged.
6. Accordingly, the criminal petition is disposed off.
7. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

JUSTICE HARIANTH.N

Dt.19.03.2025
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