

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.31936 of 2015

ORDER:

Sri K. Laxmaiah, learned counsel for the petitioners, states that the vehicles seized are still in the custody of the police authorities and therefore the judgment rendered by this Court in W.P.No.27998 of 2015 would apply.

A copy of the order dated 01.09.2015 passed in the said writ petition is placed on record.

The learned Assistant Government Pleader is unable to confirm as to whether the custody of the vehicles is still with the police authorities or whether the same have been produced before a competent Court. But, Sri K. Laxmaiah, learned counsel, would reiterate that he has been instructed to inform this Court that the vehicles are still in the custody of the police authorities.

Accepting this statement and following the decision of this Court in the earlier writ petition, this writ petition is disposed of in terms of the said decision with the following directions:

“The petitioners are directed to submit an application for release of the vehicles before the competent authority and the competent authority, within three days from the date of receipt of such application, examine whether the vehicles are used in committing the offence for the first and second time; and if so, consider directing release of the vehicles on payment of the prescribed penalty. If, on the other hand, the vehicles are found to have been used in commission of the offence for three or more times, the officer concerned shall consider directing release of the vehicles after deposit of amount in accordance with Rule-12 of G.O.Ms.No.15 dated 19.02.2015 and also on execution of bond along with an affidavit giving consent to produce the seized vehicles as and when required.”

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

14th October, 2015

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