

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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**WP No. 14 of 2015**

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Date of Judgment: 22.1.2015

Between:

S. Amarnath and another

...Petitioners

And

The State of Andhra Pradesh and another

..Respondents

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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**ORDER:**

Heard learned counsel for the parties.

According to the petitioners, their vehicles i.e., JCB proclainer and motor cycle were seized by the 2<sup>nd</sup> respondent following registration of FIR in Cr.No. 254 of 2014 under Section 447, 427, 379 and other offences on 25.12.2014 and it is stated that the second respondent has also filed a remand report before the Judicial Magistrate of First Class, Sullurpet, SPSR Nellore district. The present writ petition is filed seeking release of the vehicles.

In my view, the learned Magistrate is seized of the matter and the petitioners have an efficacious remedy of approaching the said Magistrate for seeking interim custody of the said vehicles. Hence I am not inclined to entertain this writ petition. However, the petitioners are at liberty to approach the learned Magistrate with an application seeking release of the vehicles. If such an application is filed, the learned Magistrate is requested to consider the same on priority basis and pass appropriate orders thereon in accordance with law.

The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

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VILAS V. AFZULPURKAR, J

Dt. 22.1.2015

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