

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.25925 of 2015

Between:

B.Shankar

....Petitioner

and

The State of Telangana,
Represented by its Secretary (Civil Supplies Dept.),
Secretariat, Hyderabad, and others.

....Respondents

DATE OF JUDGMENT PRONOUNCED: 17.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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|----|---|--------|
| 1. | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether His Lordship wishes to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.25925 of 2015

ORDER:

Heard the learned Counsel for the petitioner and the learned
Government Pleader for the respondents.

The petitioner is the owner and possessor of goods carriage
vehicle i.e., auto trolley bearing No.AP 29 V 8508 and letting out the
same on hire on daily basis by engaging a driver. While so, on
09.07.2015 when the vehicle was carrying the load of rice bags the third

respondent intercepted the vehicle on the outskirts of Ankireddypally Village, Keesara Mandal, on a complaint received from the Assistant Civil Supply Officer and seized the vehicle. A case was registered in Crime No.197 of 2015 under Sections 406 & 420 IPC and Section 7 of the Essential Commodities Act. The petitioner submitted an application on 03.08.2015 to the second respondent seeking interim custody of the vehicle, which is pending. Challenging the same, the present Writ Petition is filed.

Learned Counsel for the petitioner submits that the petitioner is eking out livelihood on the hire charges and the petitioner is not involved in the alleged offence. However, in respect of rice, proceedings under Section 6A of the Essential Commodities Act appears to have been initiated and the same are pending. Though the petitioner filed an application before the second respondent for release of the vehicle on 03.08.2015, the same is not considered.

Now the petitioner is willing to furnish security for the release of the vehicle.

In the circumstances, the second respondent is directed to release the vehicle bearing No.AP 29 V 8508 on the petitioner furnishing bank guarantee for an amount of Rs.65,000/- (Rupees sixty five thousand only) within a period of fifteen days from the date of receipt of a copy of this order, with an undertaking that the petitioner will not alienate the vehicle and produce the same as and when demanded by the second respondent during the pendency of the 6A proceedings. On furnishing such bank guarantee and undertaking the second respondent shall release the vehicle to the petitioner.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

17.08.2015
vs

(A.RAMALINGESWARA RAO, J)