

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH  
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWENTIETH DAY OF MARCH  
TWO THOUSAND AND FIFTEEN  
PRESENT

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

**WRIT PETITION No.7187 of 2015**

**BETWEEN**

Maddela Narsaiah and another.

**... PETITIONERS**

**AND**

The State of Telangana Pradesh, Rep. by its Principal Secretary, Excise  
Department, Secretariat, Hyderabad and others.

**...RESPONDENTS**

**Counsel for the Petitioners: MR. A. PRABHAKAR RAO**

**Counsel for the Respondents: GP FOR PROH. & EXCISE  
GP FOR HOME**

**The Court made the following:**

-  
-  
-

**ORDER:**

The vehicles of the petitioners were found involved in an excise  
offence and accordingly, FIR.No.135 of 2014 was registered on 28.12.2014  
before Thungathurthy Police Station. The request of the petitioners for interim  
release was considered by the Deputy Commissioner of Prohibition and

Excise, Nalgonda by order dated 02.03.2015 and the vehicles were directed to be released subject to the petitioners furnishing bank guarantee to the extent of the value of the vehicles as assessed by the Motor Vehicle Inspector. The condition of furnishing of bank guarantee is questioned in this writ petition on the ground that it is onerous.

2. Though I have heard the learned counsel for the petitioners, I am not inclined to interfere with the impugned order, particularly, as this Court also has been passing similar orders in all such cases directing valuation to be carried out by the concerned Motor Vehicle Inspector and thereafter, directing release of the vehicle on furnishing bank guarantee. Since the issued involved is similar to the one already dealt by this Court, petitioner is at liberty to submit FDR as directed by the Deputy Commissioner of Prohibition and Excise or furnish bank guarantee for the like sum to the satisfaction of the Deputy Commissioner of Prohibition and Excise, Nalgonda and on complying with all other conditions, the vehicles shall be released. However, investigation shall be completed expeditiously and the bank guarantee/FDR shall be subject to the result of the enquiry.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

---

VILAS V. AFZULPURKAR, J

March 20, 2015  
DSK