

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17423 of 2015

DATED 17TH JUNE, 2015

BETWEEN

Shaik Salahadi

...Petitioner

And

The Divisional Forest Officer,

Adilabad District, Adilabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17423 of 2015.

ORDER:

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

The petitioner is the owner of Motor Cycle (Splender, a Hero Honda Company merchandise) bearing Registration No.AP.01.AG-7658. When the said vehicle was being used by one Shaik Rabbani and Shaik Althaf, the same was

intercepted by the respondent authorities on the ground that the said persons are using the vehicle for transporting wild animals flesh. Thereafter a case in POP No.1714/69 was registered against said Shaik Rabbani and Shaik Althaf and produced them before the learned Judicial First Class Magistrate, Boath, who released them on bail. However, the respondent authorities did not produce the said vehicle before the said Court. The petitioner filed an application under Section 44(3) of the AP Forest Act before the first respondent seeking release of the vehicle. When the said vehicle is not released, the present Writ Petition is filed.

Since the vehicle of the petitioner is involved in the forest offence, this Court is not inclined to pass an order for release of the vehicle. However, as the Court of learned Judicial First class Magistrate, Boath has jurisdiction to try the offence and the petitioner had already filed an application before the first respondent for release of the vehicle, the first respondent is directed to produce the said vehicle before the Court of the learned Judicial First Class Magistrate, Boath within a period of one week. The petitioner is at liberty to file an appropriate application before the said court seeking release of the vehicle, which shall be considered and disposed of by the said Court incorporating the usual conditions, if any.

The Writ Petition is accordingly disposed of. Miscellaneous petitions pending consideration if any in this Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 17TH JUNE, 2015.

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