

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.33386 of 2015

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ORDER :

The petitioner owns goods vehicle bearing No.AP 07 TU 1579. According to the petitioner, his vehicle carried goods to the State of Maharashtra and while returning, sand was loaded into the vehicle with way bills granted by the competent authority of the State of Maharashtra and while the vehicle was transporting sand, the same was seized on 28.09.2015.

The petitioner challenges the seizure of the vehicle and prays for release of the vehicle.

According to the learned Assistant Government Pleader, inter-state transportation of sand is permissible only if the person has a valid way bill issued by the neighbouring State. It appears that the petitioner has not a valid way bill and therefore the vehicle was seized.

Learned counsel for the petitioner submits that the petitioner has a valid way bill and the same was also taken by the Village Revenue Officer and for the present, the petitioner do not have way bill in his custody.

Prima facie, the stand of the petitioner is not believable. If the petitioner has a valid way bill, the question of seizing the vehicle does not arise. Hence, I do not see any illegality in seizure of the vehicle. According to the learned counsel for the petitioner, crime is already registered. Hence, the petitioner has to approach the competent Court having jurisdiction over the police station where the crime was registered praying for release of his vehicle.

Accordingly, the Writ Petition is dismissed leaving it open to avail the remedy as available to the petitioner under Section 457 Cr.P.C. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand

dismissed.

P.NAVEEN RAO, J

Date : 09.10.2015

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