

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39146 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to direct the 2nd respondent to release the black jaggery of 330 bags along with lorry bearing No.AP 05 Y 7578, seized in Crime No.52 of 2016 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. It is case of the petitioner that he is the owner of the above lorry and he purchased the black jaggery of 330 bags and while he was transporting the same with a valid purchase bill, the 2nd respondent seized the jaggery and the vehicle on the ground that the said jaggery may be used for manufacture of I.D. liquor. Further, it is the case of the petitioner that the transportation of black jaggery is not an offence and if the lorry is kept at the police station and if it is exposed to sun and rain, there is every possibility of damage to the vehicle.
4. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the Writ Petition is disposed of with the following directions:

“Respondent No.2 is directed to return 330 bags of black jaggery to the petitioner. He is also directed to release the Lorry bearing No.AP 05 Y 7578 for interim custody of the petitioner on his executing a personal bond for a sum of Rs,1,00,000/- (Rupees One lakh only) to the satisfaction of the 2nd respondent, subject to final orders to be passed at the time of disposal of above crime, and also on production of original R.C. book. The petitioner is directed to file an affidavit before the 2nd respondent undertaking that he shall not alienate the

vehicle, shall not change the physical features of the same till the disposal of the above crime, and further he shall produce the vehicle as and when required.”

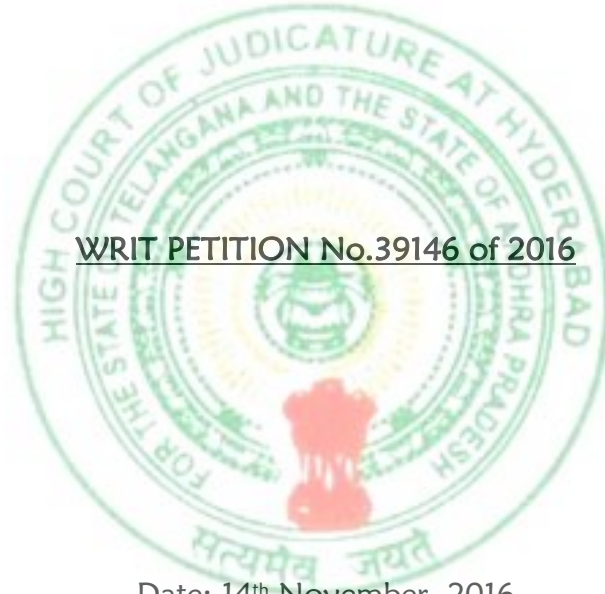
There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 14th November, 2016
Nn

RAJA ELANGO, J



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