

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39833 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 his DCM van bearing No.AP 04 TU 2374.
2. Heard and perused the material available on record.
3. It is case of the petitioner that he is the owner of the above vehicle and while black jaggary was being transported, the above vehicle was seized. He is eking out his livelihood by transporting the goods in the vehicle in question and that if the vehicle 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 release the DCM van bearing No.AP 04 TU 2374 for interim custody of the petitioner on his executing a personal bond for a sum of Rs,2,00,000/- (Rupees Two lakhs 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: 18th November, 2016
Nn

RAJA ELANGO, J



HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 18th November, 2016

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