

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.912 of 2016

ORDER :

Petitioners' grievance is that their vehicles have been seized by the 4th respondent on the ground that they are involved in Crime No.197 of 2015 under Section 406 and 420 IPC and Section 7 of the Essential Commodities Act, 1955 (for short 'the Act').

2. Counsel for the petitioner contends that the vehicles would get damaged if they are left unused in the custody of the 4th respondent pending proceedings under Section 6A of the Act or the criminal case.

3. The Government Pleader for Civil Supplies appearing for respondents states that the vehicles may be directed to be released subject to the petitioner furnishing bank guarantees for the value of vehicles as assessed by the 2nd respondent; keeping the said bank guarantees alive during the pendency of the said proceedings; and the petitioners not alienating or encumbering the said vehicles pending proceedings and undertaking to produce the same as and when required in the said proceedings.

4. In view of the said submission, this Writ Petition is disposed of directing the 4th respondent to release the vehicles i.e., LMV bearing No.AP 24 X 6518 to 1st petitioner; LMV bearing No.AP 29 Ta 5205 to 2nd petitioner; LMV bearing No.TS 05 UA 4521 to 3rd petitioner; and LMV bearing No. AP 24 Y 4578 to 4th petitioner, subject to their producing documents in proof of ownership of the said vehicles; giving a bank guarantees, individually, for the value of the said vehicles as assessed by the 2nd respondent; and keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Act or the criminal case against the alleged offenders. Petitioners shall also not alienate or encumber the vehicles pending the said 6A

proceedings and shall also give undertaking to produce them as and when required in the above proceedings. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

07th January, 2016.

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