

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38967 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to direct respondents Nos.2 and 3 to release the lorry bearing No.AP 16 TU 4782 along with rice bags, seized in Crime No.145 of 2016 on the file of Suryapet Police Station, Nalgonda District.
2. Heard and perused the material available on record.
3. It is case of the petitioners that the 6th petitioner is the owner of the lorry. While the rice was being transported, the above vehicle along with rice was seized and that the transportation of rice and broken rice is not prohibited under law and that no permit is required for transportation of rice. Further, it is the case of the petitioners that the rice and the vehicle are kept at the police station and if they are exposed to sun and rain, there is every possibility of damage to the vehicle and rice.
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:

“Respondents Nos.2 and 3 are directed to release the lorry bearing No. AP 16 TU 4782 seized in Crime No.145 of 2016 for interim custody of the 6th 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 6th 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: 30th November, 2016
Nn

RAJA ELANGO, J



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