

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40072 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 4th respondent in seizing the property of fire crackers seized on 26.10.2016 and detaining the same in the premises of Aswaraopet Rural Police Station, as illegal and arbitrary and consequently direct the 4th respondent to return the seized property of 29 boxes in favour of the petitioner.

Heard and perused the material available on record.

The grievance of the petitioner is that during inspection done by the Tahsildar, Aswaraopeta, in the Tunikaku Godown, he found some huge amount of crackers stored in the said godown and on enquiry, the petitioner has failed to produce the permission/authorization certificate and the Tahsildar requested the 4th respondent to register a case against the petitioner and the 4th respondent registered a case in Crime No.173 of 2016 under Section 9B(1)(b) of the Explosives Act and seized 29 boxes of fire crackers.

Learned counsel for the petitioner submitted that the petitioner is doing small business and a seasonal business and that the petitioner is having approvals from the concerned authorities and that the petitioner never involved in any crime against law.

Considering the grievance of the petitioner and the submissions of the learned counsel for the petitioner, interim custody of 29 boxes of fire crackers seized in the above referred crime shall be entrusted to the interim custody of the petitioner on

his execution of a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with one surety to the satisfaction of the 4th respondent.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 21st November, 2016

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