

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38810 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 15 bags of rice along with vehicle bearing No.TS 05 UB 3109 seized in Crime No.272 of 2016 on the file of Ghatkesar Police Station, Ranga Reddy District.
2. Heard and perused the material available on record.
3. It is case of the petitioners that the 1st petitioner is doing business in rice and he purchased 15 bags of rice and while he was transporting the same in the above vehicle of the 2nd petitioner, the 3rd respondent seized the vehicle along with the rice bags on the ground that the 1st petitioner was illegally transporting PDS rice. Further, it is the case of the petitioners that the transportation of rice is not prohibited under law and that the rice and vehicle are kept at the police station and if they are exposed to sun and rain, there is every possibility of damage to the quality of rice and to the vehicle.
4. Considering the facts and circumstances of the case and the grievance of the petitioners, 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 15 bags of rice to the petitioners and also release the vehicle bearing No. TS 05 UB 3109 for interim custody of the petitioners on their 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 petitioners are directed to file an affidavit before the 2nd respondent undertaking that they shall not alienate the vehicle, shall not change the physical features of the same till the disposal of the above crime, and further they 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: 10th November, 2016
Nn

RAJA ELANGO, J



HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 10th November, 2016

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