

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42685 of 2016

ORDER:

This Writ Petition under Article 226 of the Constitution of India is filed seeking to declare the action of the 2nd respondent in trying to seize the vehicle bearing No.TS-08-ED-6606, as arbitrary and illegal.

2. In the affidavit filed in support of the petition, it is stated that the petitioner is Class I Contractor. On acquaintance with one Gangula Krishna Reddy, he offered the petitioner to sell four wheeler and petitioner paid an amount of Rs.10.00 lakhs and rest of the balance amount shall be paid by way of instalments. While so, due to personal grudge, the complainant lodged a private complaint against the petitioner and the same was referred to police under Section 156 (3) Cr.P.C. and the police registered a case in Crime No.609 of 2016 for the offences punishable under Sections 386, 406, 420, 506 read with 34 IPC.

3. Learned counsel for the petitioner submits that the respondent without following the procedure laid down in Cr.P.C. registered the present case against the petitioner.

4. The learned Assistant Government Pleader for Home submits that on the basis of the complaint, a case was registered against the petitioner and the respondents are investigating into the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, the Writ Petition is disposed of directing the 2nd respondent to follow the procedure as contemplated in Cr.P.C. while seizing the petitioner's

vehicle bearing No.TS-08-ED-6606 (Fortuner). Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

DECEMBER 08, 2016
YVL

RAJA ELANGO, J



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.42685 of 2016

Dt:08.12.2016

YVL