

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37345 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent in not releasing the petitioner's Mahindra Bolero Van bearing Reg. No.AP 31 TW 5199 seized in Crime No.71 of 2016, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the owner of Mahindra Bolero Van bearing Reg. No.AP 31 TW 5199 and that on 09.10.2016, the petitioner came to know that her vehicle was seized by the 2nd respondent as the driver of the vehicle was transporting ganja in the said vehicle and that a case in Crime No.71 of 2016 was registered against three accused persons under Sections 20(b)(1) and 8(c) of the NDPS Act and the petitioner is not shown as accused in the said crime. The main grievance of the petitioner is that when she went to the 2nd respondent and requested to release her vehicle, the 2nd respondent refused to release the vehicle.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the same since the vehicle of the petitioner was used in transportation of ganja.

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

RAJA ELANGO,J

Date: 2nd November, 2016

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