

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5289 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the actions of the Respondent No. 3: (i) in keeping the vehicle of the Petitioner vide No: AP 20 AF 3297 with him since 13.08.2015 which was not seized by him, thus suffering the petitioner (ii) in pressurizing the Petitioner to withdraw the case filed against the Respondent No. 4 & 5 to get release the vehicle (iii) in not taking any action against the Respondent No. 4 & 5 for violating the conditions in bail, influencing the witnesses, threatening the petitioner to withdraw the case are arbitrary, illegal, against rule of law, natural justice and violation of article 14, article 21 of Constitution of India and pass such other order or orders may deem fit and proper in the circumstances of the case. Consequently, the Hon'ble court may be please to cancel the conditional bail granted to the Respondent No. 4 & 5.”

The Sub-Inspector of Police, Neredmet Police Station, Cyberabad, furnished written instructions dated 23.02.2016 to the office of the learned Government Pleader for Home, stating that the motorcycle bearing registration No. AP 20 AF 3297, which was seized in connection with Crime No.508 of 2015, was deposited before the learned

XX Metropolitan Magistrate, Cyberabad at Malkajgiri, in C.C.No.1246 of 2015 which was taken on file upon the charge sheet being laid in relation to the afore-stated crime.

In the light of the above development, the petitioner would have to take recourse to appropriate remedies in accordance with law for securing possession of the motorcycle.

Reserving liberty to the petitioner to do so, the writ petition is

closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

30th March, 2016
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