

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39031 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to direct the respondents to release 400 bags of rice along with lorry bearing No.AP 31 TT 2369 seized in Crime No.77 of 2016 on the file of Rajapeta Police Station, Nalgonda District.
2. Heard and perused the material available on record.
3. It is case of the petitioner that he is the owner of the above vehicle and while the rice was being transported, the above vehicle along with rice was seized and that the transportation of rice and broken rice is not prohibited under law and that no permit is required for transportation of rice. Further, it is the case of the petitioner that the rice and the vehicle are kept at the police station and if they are exposed to sun and rain, there is every possibility of damage to the vehicle and goods.
4. Considering the facts and circumstances of the case and the grievance of the petitioner, 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 the lorry bearing No.AP 31 TT 2369 seized in Crime No.77 of 2016 for interim custody of the petitioner on his executing a personal bond for a sum of Rs,2,00,000/- (Rupees Two lakhs 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 petitioner is directed to file an affidavit before the 2nd respondent undertaking that he

shall not alienate the vehicle, shall not change the physical features of the same till the disposal of the above crime, and further he 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: 30th November, 2016
Nn

RAJA ELANGO, J



HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 30th November, 2016

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