

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2611 OF 2017

ORDER:

The present Criminal Petition is filed under Section 482 read with Section 457 of the Code of Criminal Procedure, 1973 (Cr.P.C.), by the petitioner viz., Maloth Jayaram, requesting to direct the State, respondent herein, to release the vehicle i.e., TVS Star City Motor Cycle bearing No.TS-04-EJ-0961 in P.R. No.75 of 2017 on the file of Prohibition and Excise Station, Kothagudem, Bhadrachalam District.

2. Since it is submitted by the learned counsel for the petitioner, Sri Pulla Rao Yellanki, that the vehicle in question was produced before the Deputy Commissioner of Excise, the order passed by the Court below expressing that it has no jurisdiction to entertain the petition and thereby returning the same cannot be faulted; the petitioner is at liberty to approach the Deputy Commissioner of Excise for the relief claimed herein, and, if such an application is filed, the Deputy Commissioner concerned is directed to dispose of the same within a period of thirty (30) days thereafter.

3. With the above observations, the Criminal Petition is dismissed, at the admission stage itself.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition, stand closed.

A. SHANKAR NARAYANA, J

March 30, 2017.
PV

