

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 22451 of 2017

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner states that he is the registered owner of Auto bearing No.AP 21 TW-5634 and the sixth respondent took the said Auto on daily rent basis. While so, the third respondent seized the Auto on 18.08.2016 at about 8.15 PM on the alleged ground that the sixth respondent was illegally transporting 11 bags of PDS rice at the instance of respondents 4 and 5. A case in Crime No.148 of 2016 was registered against the respondents 4 to 6 and the same is pending. The petitioner states that he has no knowledge about the transportation of PDS rice by the sixth respondent in the Auto belonging to him. He filed an application in CrI.M.P.No.281 of 2017 before the Additional Judicial Magistrate of First Class, Adoni seeking release of Auto, but the said application was dismissed on 19.04.2017 holding that the said Court has no jurisdiction. After dismissal of the said application, he approached the second respondent, but the second respondent did not pass any orders.

In view of the involvement of the Auto belonging to the petitioner evidenced by connected documents filed along with the Writ Petition, this Court is satisfied that the Auto can be released subject to the petitioner furnishing bank guarantee for an amount of Rs.40,000/- (Rupees Forty Thousand only) and also furnishing an undertaking that he will not alienate the vehicle and produce the same as and when demanded by the second respondent.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 07.07.2017
Nsr

