

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5555 OF 2017

ORDER :

The Writ Petition is filed questioning the inaction of the 3rd respondent Station House Officer, Mogullapalli Police Station in releasing the stock seized in connection with Crime No. 16 of 2017, though the petitioner is ready and willing to furnish the Fixed Deposit Receipt for Rs.32,000/-.

The case of the petitioner is that he has been engaged in purchase and sale of jaggery and kirana items. During the course of the said business, he claims to have purchased 160 boxes of white jaggery, each 20 Kgs. and loaded the same in the vehicle bearing Registration No. AP 22 W 8428. When the said vehicle reached near Mogullapalli-Pedhavaagu Bridge, the 3rd respondent intercepted and seized the vehicle along with the stock and registered a case in Crime No. 16 of 2017 for the offences under Section 34(e) of the A.P. Excise Act, 1968 and Section 7(a) read with Section 8(e) of the A.P. Prohibition Act. Though the petitioner approached the 3rd respondent for release of the stock, he refused to do so.

Heard learned counsel for the petitioner as well as learned Government Pleaders for Prohibition & Excise and Home (Telangana).

Having considered the submission made on either side, the Writ Petition is disposed of directing the 3rd respondent to release the seized stock subject to the petitioner furnishing a Fixed Deposit Receipt for a sum of Rs. 32,000/- (Rupees thirty two

thousand only) in his favour. It is, however, made clear that release of the stock shall be subject to the final orders that may be passed in Crime No. 16 of 2017 on the file of Mogullapalli Police Station.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

07th March 2017

CHALLA KODANDA RAM, J

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