

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 33269 OF 2017**

**ORDER:**

This Writ Petition is filed seeking a direction to the 3<sup>rd</sup> respondent Sub-Inspector of Police, Bibinagar Police Station to release the lorry of the petitioner bearing No. AP 36 TA 3100 which was seized in connection with Crime No. 17 of 2017 registered for the offence punishable under Section 11(1) of the Prevention of Cruelty to Animals Act, 1960.

The case of the petitioner - owner of the above said lorry is that at request of Sri Gandhamala Abbasailu, on 09.09.2017, the subject vehicle was hired to transport 13 bullocks, which were stated to have been purchased from the farmers, under a valid receipt. According to the petitioner, he is no way connected with the crime registered and that if the vehicle is kept idle, there is every likelihood of its becoming unworthy for road use.

Heard learned counsel for the petitioner.

Learned Government Pleader for Home (Telangana) has placed on record the written instructions received from the Sub-Inspector of Police, Bibinagar Police Station, wherein it has been stated that based on the complaint given by one Sri Kadari Mahesh on 14.09.2017 stating that one DCM lorry bearing Registration No. AP 36 TA 3100 was loaded with 13 bullocks and 4 buffaloes in a cruel manner without taking precautions as regards their safety, Petty Case No. 33 of 2017 under Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 was registered on the same day itself and was investigated into. It has been further stated that after completion of investigation, a charge sheet was also filed before the

Court of the Additional Judicial Magistrate of I Class at Bhongir and the same is pending. It is also submitted that it is for the petitioner / owner of the vehicle to file an appropriate Application before the Court concerned for release of the vehicle.

In the light of the above instructions, inasmuch as the vehicle has been produced before the Court of the Additional Judicial Magistrate of I Class at Bhongir, the petitioner is at liberty to approach the said Court by invoking the provisions under the Code of Criminal Procedure seeking its release. As and when such an Application is filed, it is made clear that the said Court shall consider the same and pass necessary orders thereon, as expeditiously as possible.

The Writ Petition is accordingly, disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

06<sup>th</sup> October 2017

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**CHALLA KODANDA RAM, J**