

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 33262 OF 2017

ORDER:

This Writ Petition is filed seeking a direction to the 3rd respondent Sub-Inspector of Police, Bhongir Town Police Station to release the lorry of the petitioner bearing No. AP 09 U 6095 which was seized in connection with Crime No. 103 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 25 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 usage.

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, wherein it has been stated that based on the complaint given by one Sri Kadari Mahesh on 09.09.2017 stating that one lorry bearing Registration No. AP 09 U 6095 was loaded with 25 bullocks in a cruel manner without taking precautions as regards their safety and was plying from Warangal towards Hyderabad, Petty Case No. 103 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 Special Judicial Magistrate of II 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 Special Judicial Magistrate of II Class, 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 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.

CHALLA KODANDA RAM, J

06th October 2017

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