

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22680 of 2017

ORDER:

1. This writ petition is filed under Article 226 of the Constitution of India seeking to direct the respondents to release the vehicle of the petitioner viz., Bus No.AP-10 V-0226.

2. Heard and perused the material available on record.

3. It is case of the petitioner that the petitioner-college is running five buses for the convenience of students and the said five buses are being plied as transportation for the students. While so, the 4th respondent seized the subject vehicle on the ground that it was being plied without fitness certificate and insurance. The 3rd respondent passed the order impugned to launch prosecution against the Driver and register owner of the vehicle. The subject vehicle was kept idle without producing it before the competent Court. If the vehicle is kept idle, there is possibility of damage to the vehicle.

4. The learned Counsel for the petitioner submitted that the petitioner is ready to produce the vehicle as and when required by the authorities concerned.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the Writ Petition is disposed of with the following directions:

“Respondents Nos.3 and 4 are directed to release the bus bearing No.AP 10 V-0226 for interim custody of the petitioner on condition of the petitioner executing a personal bond for a

sum of Rs.5,00,000/- (Rupees Five lakhs only) to the satisfaction of the 3rd respondent, subject to final orders to be passed at the time of disposal of the case, if any pending in respect of the vehicle in question, and also on production of original R.C. book. The petitioner is directed to file an affidavit before the 3rd respondent undertaking that the vehicle shall not be alienated, its physical features shall not be changed till the disposal of the case, if any pending, and further the vehicle shall be produced as and when required by the authorities concerned.”

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 10th July, 2017
Nn



RAJA ELANGO, J

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Date: 10th July, 2017

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