

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 5732 of 2017

ORDER:

This writ petition is filed challenging the action of respondent Nos.1 and 2 in not releasing the petitioner's material in spite of his representation, dated 14.02.2017, and also his non-involvement in any crime.

The petitioner submits that he is not one of the accused in Crime No.28 of 2017, dated 04.02.2017, registered by respondent No.1 on the basis of the complaint lodged by respondent No.2. The present writ petition is filed seeking release of the material stored with respondent No.6.

Learned Government Pleader for Home, on the basis of written instructions, submits that though respondent No.2 approached respondent No.1 with a complaint on 04.02.2017 against respondent No.6 and 111 farmers and registering the complaint as Crime No.28 of 2017 on 04.02.2017, the seizure of goods in the Cold Storage of respondent No.6 was denied by them.

Learned counsel for the petitioner submits that the goods stored by the petitioner with respondent No.6 were transferred to M/s.Giri Cold Storage, Kirampudi, East Godavari District, Andhra Pradesh at the instance of respondent No.1.

A perusal of the receipt issued by the said Cold Storage shows that the goods were received from the petitioner only.

Learned counsel for respondent No.2 submits that respondent No.2 has no grievance against the petitioner and if the petitioner

wants to withdraw the goods either from respondent No.6 or from the said M/s.Giri Cold Storage, they have no objection.

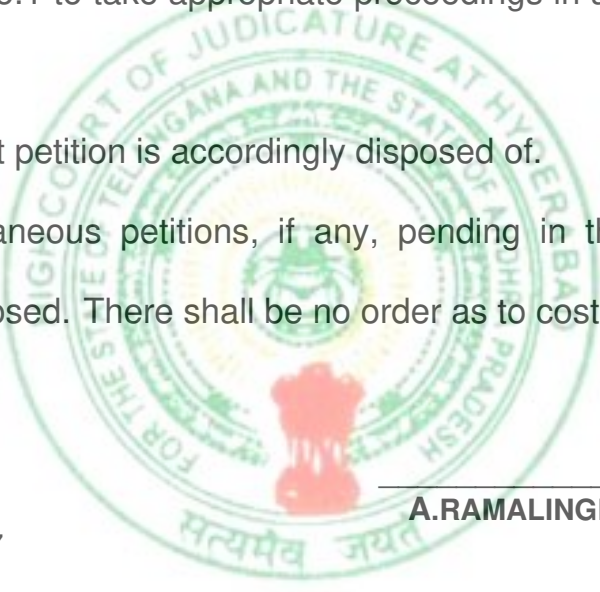
In the circumstances, liberty is given to the petitioner to withdraw the goods deposited with M/s.Giri Cold Storage under Bond No.107, dated 21.02.2017, subject to payment of Godown charges, if any. It is needless to observe that in view of the non-involvement of the petitioner in Crime No.28 of 2017, dated 04.02.2017, respondent No.1 shall not interfere with the release of the goods. If the petitioner is involved in the said crime, it is open to respondent No.1 to take appropriate proceedings in accordance with law.

The writ petition is accordingly disposed of.

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

Dt:03.03.2017

Note: Issue cc tomorrow.
(B/o)
kdl

A.RAMALINGESWARA RAO,J

