

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.33898 of 2017

ORDER:

This Writ petition, under Article 226 of the Constitution of India, is filed assailing the action of the respondents in not releasing the petitioner's vehicle i.e., Chevrolet Enjoy Car bearing registration No.TS 29 1542, which was seized in connection with case in Crime No.197 of 2017 of Thirumalayapalem Police Station, Khammam District.

I have heard the submissions of the learned counsel for the petitioner and the learned Government Pleader representing the respondents. I have perused the material record.

Learned counsel for the petitioner would submit that in cases of similar nature, this Court is passing orders releasing the vehicles and that, therefore, the writ petition may be disposed of by passing appropriate orders.

Learned Government Pleader would submit that the vehicle involved in the crime is a very expensive vehicle and, therefore, adequate conditions may be imposed while ordering to release the vehicle.

Having regard to the facts and submissions, the Writ Petition is disposed of with the following directions: 'On the petitioner approaching the 2nd respondent with an appropriate application enclosing a Fixed Deposit Receipt, from a nationalised bank, drawn in favour of the said authority payable at Khammam, for a sum of Rs.1,00,000/- [Rupees one lakh only], the subject car shall be given interim custody to the petitioner on the petitioner further producing the necessary vehicular documents including the registration certificate besides proof of identity and on undertaking to keep the vehicle insured at all times and in good running condition by regular maintenance and that he will not create any third party interests in any manner over the said

vehicle and shall produce the same before any authority as and when directed without changing its features and major parts.'

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M.Seetharama Murthi, J

31.10.2017

Note: Issue CC by 01.11.2017.

[B/o]

Vjl

