

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.17974 OF 2017

ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India challenging the condition imposed by the 2nd respondent in the order dated 31.5.2017.

2. Heard and perused the material available on record.

3. The 2nd respondent passed the impugned order for release of the vehicle of the petitioner viz., Eicher Mini Van bearing Regd.No.AP-03-X-6371 seized in Crime No.104 of 2017, on some conditions. One of the conditions is that the petitioner shall furnish a Fixed Deposit Receipt for the amount equivalent to the present value of the vehicle viz., Rs.1,44,000/- drawn in favour of the 2nd respondent-Deputy Commissioner on any nationalized bank. Aggrieved by the said condition, the petitioner filed this writ petition.

4. Learned Government Pleader for Prohibition and Excise raised objection for modification of the above condition.

5. Considering the facts and circumstances of the case, the above condition of submission of FDR for Rs.1,44,000/- in the impugned order, is modified as follows:

“The petitioner shall submit FDR for Rs.75,000/- (Rupees Seventy Five Thousand only) drawn in favour of the 2nd respondent-Deputy Commissioner on any nationalized bank”.

Rest of the conditions imposed in the order impugned shall remain.

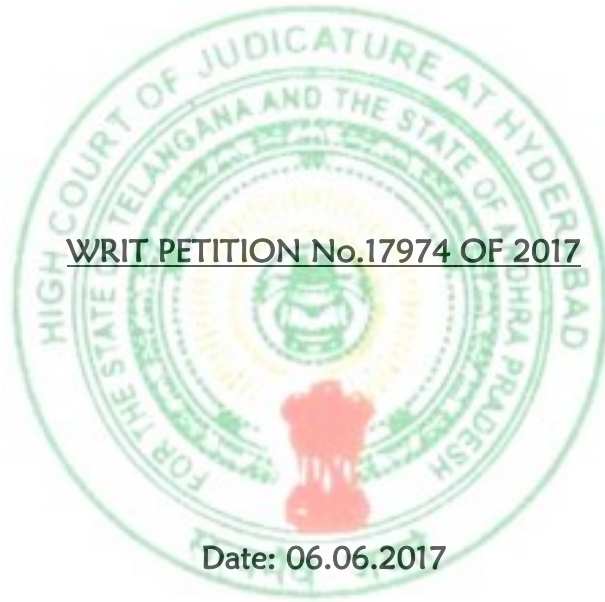
6. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 06.06.2017
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