

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.311 of 2017

ORDER:

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Certiorari* calling for the records pertaining to the orders in CrI.M.P.No.2907 of 2016, dated 07-10-2016 on the file of the Metropolitan Sessions Judge-cum-Special Court for NDPS Cases at Visakhapatnam and quash insofar as condition Nos.1 & 2 are concerned to give the interim custody of Maruthi Swift Dzire VDI-BSIII car bearing registration No.AP 36 AE 8668 to the petitioner, seized by the 2nd respondent in connection with Cr.No.54 of 2016.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

Considering the facts and circumstances of the case, the condition Nos.1 and 2 in the order dated 07-10-2016 in CrI.M.P.No.2907 of 2016 i.e., (1) The petitioner shall furnish a fixed deposit equivalent to the value of the vehicle as determined by the Motor Vehicle Inspector and to the satisfaction of the Additional Judicial First Class Magistrate, Narsipatnam; and (2) The petitioner shall keep this fixed deposit alive till conclusion of the trial, are hereby set aside. Further, the petitioner is directed to execute a personal

bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the satisfaction of the Additional Judicial First Class Magistrate, Narsipatnam.

Accordingly, the Writ Petition is disposed of. No Costs.

Consequently, miscellaneous petitions pending in this petition, if any, shall stand closed.

04th January, 2017
skmr

JUSTICE RAJA ELANGO

