

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34589 OF 2017

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Mines and Geology (Telangana) appearing for respondent No.1 and the learned Government Pleader for Home (Telangana) appearing for respondent No.2.

2. When the matter is taken up, it is submitted by the learned Government Pleader for Home, on instructions, that on receipt of reliable information that the petitioner herein along with another person was transporting sand without any lawful permission, a *suo moto* case in Crime No.417 of 2017 on the file of Khammam Rural Police Station was registered for the offences under Section 379 I.P.C. and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and during the course of investigation, as per the confession of A-1, who is the driver of the lorry, seized the subject lorry under a cover of panchanama. After completion of the investigation, charge sheet was also filed before the II Additional Judicial First Class Magistrate at Khammam and the seized vehicle was also deposited before the said Court.

3. In view of the same, it is open for the petitioner herein to make necessary application before the II Additional Judicial First Class Magistrate at Khammam for release of the seized vehicle in accordance with law.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 23.10.2017
AMD



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