

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.44549 OF 2017

ORDER

This writ petition is filed for the following relief:

“...to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not releasing the petitioner's Mahindra Bolero Max Truck Jeep bearing Reg.No.AP-01-W-4331 seized in Cr.No.267 of 2017 in spite of the readiness of the petitioner to furnish the third party surety, as being illegal, and arbitrary and consequently direct the respondent No.2 to release the vehicle, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioner and learned Government Pleader for Prohibition and Excise appearing for respondent Nos.1 to 3.

In view of the nature of the relief sought, this Writ Petition is disposed of directing respondent No.2 to release Mahindra Bolero Max Truck Jeep bearing Reg.No.AP-01-W-4331 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings and on petitioner furnishing a Fixed Deposit Receipt for Rs.50,000/- (Rupees fifty thousand only) from any

nationalized bank in favour of respondent No.2 and also on production of original R.C. Book and on petitioner further giving an undertaking that he will not transfer or alienate the vehicle to third party in any manner and will maintain the vehicle in the same good roadworthy condition without changing its major parts and features and would produce the same as and when directed before any Court or competent authority.

Miscellaneous petitions, if any, pending shall stand closed.

28th December, 2017
rk/k

JUSTICE CHALLA KODANDA RAM

