

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.9068 of 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner seeking to grant interim custody of the auto rickshaw bearing No.AP 04TV 0531 to the petitioner, which was seized in Crime No.86 of 2017 of Vontimitta Police Station, YSR Kadapa District.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor, apart from perusing the material on record.

3. It is submitted by the learned Assistant Public Prosecutor that the Deputy Commissioner, Prohibition and Excise Department, Kadapa, is the authority to deal with the relief sought by the petitioner herein. As per the enactment, there is an efficacious remedy available to the petitioner before the Deputy Commissioner.

4. Learned counsel for the petitioner would submit that the petitioner is ready to file an application before the Deputy Commissioner for release of the auto rickshaw.

5. Under the above circumstances, the petitioner is given liberty to file an application before the Deputy Commissioner, Prohibition and Excise Department, Kadapa, within one week. In the event of filing such an application, the Deputy Commissioner concerned shall dispose of the application within two weeks.

6. With the above observations, this Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this case, shall stand closed.

31st January, 2018

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Dr. SHAMEEM AKTHER, J