

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.9700 of 2018

ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Industries, appearing for respondent Nos.1 and 2 and learned Government Pleader for Home, appearing for 3rd respondent.

2. It is stated by the learned counsel on both sides that the issue raised in this Writ Petition is covered by the order dt.19-12-2017 in W.P.No.42565 of 2017.

3. Therefore for the reasons alike, this Writ Petition is also allowed. In case, the seizure of the lorries is reported to the Court of the learned Magistrate as per procedure and/or the same are deposited/produced before the Court, the learned Magistrate concerned shall release and give interim custody of the lorries bearing No.AP-31-TE-2479 to the petitioner, however, on the petitioner furnishing personal bond and third party surety to the satisfaction of the learned Magistrate concerned and on further undertaking that he will not alienate or transfer the subject lorry in any manner and will maintain it in the same good and road worthy condition without changing any of their features and major parts and shall produce it along with its vehicular documents at a specified place or before a specified authority as and when directed. However, in case the seizure of the lorry is not already reported to the Court concerned as per law and the same are not already produced/deposited before the

Court of the competent Magistrate, the competent authority shall release and give interim custody of the lorry to the petitioner however, on the petitioner furnishing personal bonds and third party surety/sureties to the satisfaction of the said competent authority and on further giving an undertaking on the same lines as indicated supra. On the petitioner approaching the Court or the competent authority, as the case may be, and making a request, along with a copy of this order, for release of the lorry, the necessary exercise as indicated supra shall be completed within two days from the date of the request of the petitioner.

4. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 23-03-2018
kvr

