

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.10035 OF 2018

O R D E R :

Heard counsel for petitioners, the Government Pleader for Industries appearing for respondents 1 & 2, and the Government Pleader for Home appearing for 3rd respondent.

2. It is stated by the 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 reasons alike, this Writ Petition is also allowed. In case, the seizure of the Tractors and Trailers 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 Tractors and Trailers bearing Nos. AP-31-AV-2173 & AP-31-TW-5821, AP-31-TG-9505 & AP-31-TC-7642 and AP-5-DK-0302 & AP-31-TM-0832 to the petitioners, however, on the petitioners furnishing personal bonds and third party sureties to the satisfaction of the learned Magistrate concerned and on further undertaking that they will not alienate or transfer the subject Tractors and Trailers in any manner and will maintain them in the same good and road worthy condition without changing any of their features and major parts and shall produce them 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 Tractors and

Trailers is not already reported to the Court concerned as per the 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 Tractors and Trailers to the petitioners however, on the petitioners furnishing personal bonds and third party surety/sureties to the satisfaction of the said competent authority and/or further giving an undertaking on the same lines as indicated supra. On the petitioners 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 Tractors and Trailers, the necessary exercise as indicated supra shall be completed within two days from the date of the request of the petitioners. No order as to costs.

4. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

28th March, 2018.

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