

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.11916 OF 2018

ORDER:

Heard learned counsel for the petitioner, Government Pleader for Industries appearing for respondent Nos.1 and 2 and Government Pleader for Home appearing for respondent No.3.

2. It is stated by counsel on either side that the issue raised in this Writ Petition is covered by the order dated 28.03.2018 passed by this Court in W.P.No.10035 of 2018.

3. Therefore, for the reasons alike, this Writ Petition is also allowed. In case, the seizure of Tractor and Trailer is reported to the Court of the learned Magistrate as per procedure and/or the same is deposited/produced before the Court, the learned Magistrate concerned shall release and give interim custody of Tractor and Trailer bearing No.AP-05-CG-4649 and AP-05-TU-4156 to the petitioner, however, on petitioner furnishing a 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 vehicle in any manner and will maintain it in the same good and road worthy condition without changing any of its features and major parts and shall produce the vehicle along with its vehicular documents at the specified place or before a specified authority as and when directed. However, in case the seizure of Tractor and Trailer is not already reported to the Court concerned as per the law and the same is not already produced/deposited before the Court of the competent Magistrate, the competent authority shall release and give interim custody of

the Tractor and Trailer to the petitioner, however, on petitioner furnishing a personal bond and third party surety to the satisfaction of the said competent authority and/or further giving an undertaking on the same lines as indicated supra. On 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 Tractor and Trailer, the necessary exercise as indicated supra shall be completed within seven (7) days from the date of request of the petitioner.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

M.S.RAMACHANDRA RAO, J

APRIL 12, 2018

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Dt: 12.04.2018

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