

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.31064 OF 2018

ORDER :

This writ petition is filed challenging the action of the 3rd respondent in not releasing the buses to the petitioner which were recovered pursuant to the complaint lodged by the petitioner in Crime No.91/2018 on the file of Palamaner Police Station, Chittoor District and for a consequential direction to the 3rd respondent to release the buses to the petitioner.

Learned Assistant Government Pleader for Home produced written instructions stating that the petitioner gave report to the 3rd respondent stating that the 4th respondent herein has committed theft of eight buses belonging to him; that basing on the said complaint the 3rd respondent registered a case in Crime No.91/2018 against the 4th respondent; that during the course of investigation, the 3rd respondent recovered the said eight buses i.e. i) AP 03 TA 8958 ii) AP 29V 7879 iii) AP 02TA 8928 (iv) AP 29V 7880 (v) AP 29V 7892 (vi) AP 29V 7893 (vii) KA 34A 9670 (viii) AP 29V 7970, from various places on various dates and produced before the Judicial Magistrate of First Class, Palamaner; that thereafter, the learned Magistrate ordered the 3rd respondent for keeping the said buses in his custody on the safety measurements; that when the writ petitioner requested for release of the said vehicles the 3rd respondent instructed him to obtain orders for its releases from the learned Magistrate; and that the writ petitioner without approaching the learned

Magistrate and obtaining any orders, directly filed the writ petition by raising bald allegations against the respondent police. All the allegations raised by the petitioner were denied.

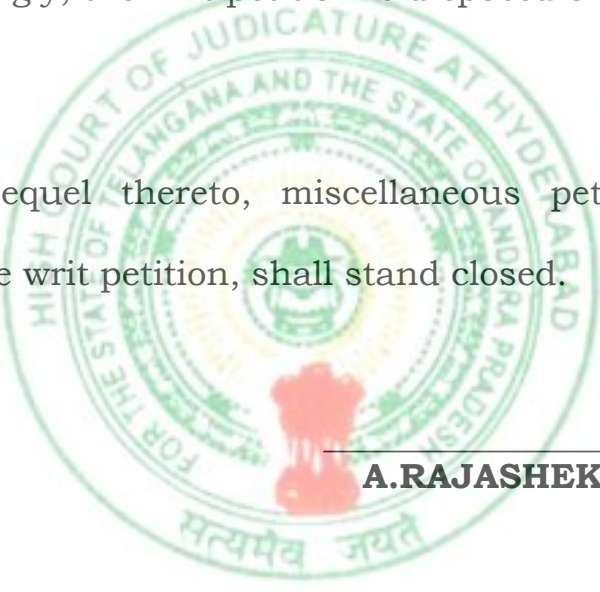
In view of the aforesaid submissions made by the learned Assistant Government Pleader, it is open for the petitioner to make necessary application before the Judicial Magistrate of First Class, Palamaner, for release of the aforesaid eight buses and the same shall be considered in accordance with law.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

06.09.2018

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A.RAJASHEKER REDDY, J