

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.31142 OF 2018

O R D E R

The grievance of the petitioner is that the 2nd respondent – Station House Officer, Rambilli Police Station, Visakhapatnam, seized his vehicles bearing No. AP 31 TG 0396, A P 16 TB 9736 and Tata-Hitachi Ex 200, without following the due process of law.

Learned counsel for the petitioner submits that this court in similar facts and circumstances in W.P.No.14693 of 2014 dated 29.05.2014, directed the respondents to release the vehicle on certain conditions and that same order may be passed.

Learned Assistant Government Pleader for Home produced written instructions of Sub Inspector of Police, Rambilli Police Station, Visakhapatnam District, dated 04.09.2018, stating that as some persons were excavating the gravel in Gurajapalem village area of APSEZ unauthorizedly, case in Cr.No.106 of 2018 was registered for the offences under Sections 447, 427, 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 on 23.08.2017 and the vehicles bearing No. AP 31 TG 0396, AP 16 TB 9736 and Tata-Hitachi Ex 200, were seized by the 2nd respondent - Station House Officer, Rambilli Police station on the same day. During the course of investigation, the 2nd respondent produced the said vehicles through Form 60 before the court of Judicial Magistrate of First Class, Yellamanchili, on 25.08.2018 and that they are in custody of the said court.

As per the written instructions produced by the learned Assistant Government Pleader for Home, vehicles in questions are in the custody of

the court in connection with Cr.No.106 of 2018 on the file of Police Station, Rambilli, Visakhapatnam District.

In view of the same, it is open to the petitioner to make application before the court of Judicial Magistrate of First Class, Yellamanchili seeking release of vehicles and the said court shall dispose of the same in accordance with law.

With the above observation, writ petition is disposed of.

Interlocutory applications pending, if any, shall stand closed. No costs.

DATE:06—09—2018

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A.RAJASHEKER REDDY,J

