

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 33157 of 2018

ORDER:

This Writ Petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue an appropriate writ, order or direction more in the nature of Mandamus, declaring the action of the 2nd respondent in not releasing the Auto bearing No.AP05 TH 1541 seized in Cr.No.326/2018 in spite of readiness of the petitioner to furnish the third party surety, as being illegal, arbitrary and unjust and consequently direct the respondent No.2 to release the vehicle.”

The issue raised in the present Writ Petition is squarely covered by the order, dated 28.08.2018, passed by this Court in Writ Petition No.30483 of 2018.

In view of the submissions and the earlier orders of this Court and for the reasons alike as were mentioned in the earlier orders of this Court in the afore-stated Writ Petition, this Writ Petition is also disposed of directing respondent No.2 to release the vehicle-Auto bearing Reg.No.AP05 TH 1541 to the petitioner for interim custody subject to the final orders to be passed in the

criminal proceedings and on petitioner furnishing a Fixed Deposit Receipt for Rs.40,000/- (Rupees Forty Thousand only) from any nationalized bank in favour of respondent No.2 and also on production of original R.C. Book and on petitioner further giving an undertaking that he will not transfer or alienate the vehicle to third party in any manner and will maintain the vehicle in the same good roadworthy condition without changing its major parts and features and would produce the same as and when directed before any Court or competent authority.

Miscellaneous Petitions, if any pending, shall stand closed.

There shall be no order as to costs.

14th SEPTEMBER, 2018.

CHALLA KODANDA RAM, J

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