

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 168 of 2019

O R D E R:

In this writ petition, petitioner seeks release of the seized vehicle bearing No. AP 31 U 9926 in connection with Crime No.66 of 2018 registered for the offence under Section 34 (a) of the A.P. Excise Act.

The petitioner asserts that the above said vehicle was seized by the excise officials alleging transportation of liquor.

Heard learned counsel for the petitioner and learned Government Pleader for Excise.

Having considered the submissions made by learned counsel for the petitioner and learned Government Pleader, the writ petition is disposed of directing the petitioner to make an application before respondent No.2-Deputy Commissioner, Prohibition & Excise, Mahaboobnagar, seeking release of the subject vehicle enclosing thereto a fixed deposit receipt for the value of Rs.1,00,000/- (Rupees one lakh only) from any nationalised bank and on such application being made, if it is the first offence, in which the subject vehicle is involved, the interim custody of the same shall be handed over to the petitioner, on production of original R.C Book and on the petitioner further giving an undertaking that he shall not transfer or alienate the subject vehicle to the third party in any manner, and shall not encumber or alter the physical features of the vehicle and he would produce the same as and when directed before any Court

or competent authority, till the criminal proceedings are completed. Such release shall be subject to the orders that may be passed under Section 34 of the A.P. Excise Act.

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

CHALLA KODANDA RAM, J

Dt:04.01.2019

Note: Issue cc in two days.

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