

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 440 of 2019

ORDER :

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

The present Writ Petition is filed declaring the action of the 2nd respondent in not releasing the petitioner's Hero Glamour (two wheeler) vehicle bearing Registration No. TS 24 9801, seized in connection with COR No. 87 of 2018 of 3rd respondent police station, as illegal and arbitrary.

Today, it is brought to the notice of this Court that the issue involved in the Writ Petition is squarely covered by the Order dated 20.12.2017 in Writ Petition No. 42679 of 2017, a copy of which is placed on record.

In view of the said order and for the reasons alike, this Writ Petition is also disposed of directing the petitioner to make an Application before the 2nd respondent - Deputy Commissioner of Prohibition and Excise, seeking release of the vehicle bearing Registration No. TS 24 9801, enclosing thereto a fixed deposit receipt for the value of Rs.20,000/- (Rupees twenty thousand only) from any nationalized bank, and on such an Application being made, if it is the first offence in which the vehicle is involved, the interim custody of the vehicle shall be handed over to the petitioner, on production of original R.C. Book and on his furnishing an undertaking that he will not transfer or alienate the vehicle to third party, in any manner, and will not encumber or alter the physical features of the vehicle and will produce the same

as and when directed before any Court or competent authority, till the criminal proceedings are completed. No costs.

Consequently, the miscellaneous Applications, if any shall also stand closed.

04th January 2018

ksld

CHALLA KODANDA RAM, J