

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WP.No.5100 of 2019

ORDER

This writ petition is filed seeking to declare the action of the 2nd respondent in not passing the order directing the 3rd respondent to release the seized vehicle i.e., Swift Maruthi Car bearing Reg.No.AP 29BS 1234 in Cr.No.202/2018 for the offences, in spite of readiness of the petitioner to furnish the third party surety, as illegal and arbitrary.

2. The vehicle of the petitioner was seized on the ground that he was carrying 44 Mc Dowell Whisky Bottles in his Maruti Swift car in violation of the conditions.

3. *Prima face*, there is material on record that the petitioner alleged to have indulged in excise offences. However, as there is remedy available under Section 34 of the Telangana Excise Act, the petitioner is at liberty to make application before the 2nd respondent-Deputy Commissioner, Prohibition and Excise. On receipt of the said application, the 2nd respondent may consider release of the vehicle specifying the security deposit and other requirements.

4. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

Dt.13.03.2019
tk.