

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.17368 of 2019

ORDER:

The case of the petitioner is that he is the owner of the car bearing registration No.TS-07-PM-4773, and that on 07.8.2019 at 23 hours, when he reached near Toll gate, Pappulaguda, driving the said car, the Sub-Inspector of Police, Gachibowli Traffic Police, Hyderabad, who was conducting drunk-and-drive check, stopped him, subjected him to breath analyzer test and alleged that he is in an inebriated state and seized his car, and that the said car is presently lying at Gachibowli Police Station in the open space and he was also issued with e-challan. The grievance of the petitioner is that 5th respondent has no jurisdiction to detain his car.

Heard the learned counsel for the petitioner, who submits that this Court in identical set of facts and circumstances in W.P.No.2361 of 2019, dated 07.02.2019, disposed of the said Writ Petition with the following direction:

“Therefore, the petitioner is directed to appear before the 5th respondent with RC Book relating to the said vehicle and also by producing proof of his identity and thereupon the 5th respondent or other official, who has the custody of the vehicle in question, shall release the said vehicle to the petitioner forthwith.”

Learned Assistant Government Pleader for Home does not dispute the same. He submits that the petitioner has to produce necessary original documents and give an undertaking before

respondent No.5 that he will produce the vehicle in question before the Court concerned as and when required.

In view of the same, the Writ Petition is disposed of directing the petitioner to appear before respondent No.5 with RC book relating to vehicle in question and also produce the proof of identity and give an undertaking that he will produce the vehicle in question before the Court concerned as and when required and thereupon, respondent No.5 or other official, who has the custody of the vehicle in question, shall release the said vehicle to the petitioner forthwith.

As a sequel, Miscellaneous Petitions, if any, pending shall stand closed. No order as to costs.

A.RAJASHEKER REDDY, J

14th August, 2019
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