

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18113 of 2019

ORDER:

This Writ Petition is filed seeking to declare the action of respondent No.2 in seizing and detaining the petitioner's tractor bearing No.TS 34 TR 7208, Engine No.ZHH2MBA9132, Body No.C/05552117R1 Mahindra 575 D1 and trailer bearing No.TS 06Y 9091 along with sand on 28.3.2019 in Crime No.18 of 2019 on the file of Bantwaram Police Station, as illegal and arbitrary.

Heard learned counsel for the petitioner.

Learned Assistant Government for Home produced before this Court the written instructions, dated 16.8.2019, wherein it is stated as under:

"It is submitted that on 28.3.2019, the Sub-Inspector of police along with HC 64 while performing night patrolling duty, reached at Kalwa Ramesh Mango garden in intervening night at about 1 hrs, found one tractor coming from Bantwaram towards Thormamidi village with sand load, on suspicion stopped and enquired about the sand, the driver failed to produce the documents. On that a case was registered in Crime No.18/2019, under Section 379 IPC and Section 3 of PDPP Act of Bantwaram Police Station, on 28.3.2019.

It is submitted that during the course of investigation the Station House Officer, Bantwaram addressed a letter to the Tahsildar, Bantwaram Mandal, on 03.4.2019 to take custody of the vehicle seized in Crime No.18/2019 and the vehicle was deposited before Judicial Magistrate of First Class, Vikarabad, on 28.3.2019."

Recording the aforesaid contents in the written statement, the Writ Petition is disposed of. However, the petitioner is at liberty to

approach the Court concerned for release of the vehicle in question.

No order as to costs.

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

A.RAJASHEKER REDDY, J

22nd August, 2019
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