

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO.23106 OF 2019

ORDER:

This Writ Petition is filed seeking a direction to the 3rd respondent for the release of JCB vehicle bearing No.AP 29 S 1445 which is stated to be seized and kept in police station without any reason and without registering the FIR.

Learned Assistant Government Pleader for Home, on written instructions dated 23.10.2019, would submit that based on a written complaint made by the 5th respondent that unknown persons are filling and levelling the FTL area in Sy. Nos.11, 142 and 143 of Jalpally village and Peddacheruvu in odd hours, the 3rd respondent has registered a crime and at the site, found the JCB vehicle bearing No.AP 29 S 1445 being used for the purpose of filling and levelling the FTL. It is on the basis of the complaint, the authorities have registered a Crime No.522 of 2019 dated 16.10.2019 for the offences under Sections 447 and 427 IPC against the owner of the said JCB vehicle and the said JCB vehicle has been kept in the 3 respondent police station for safe custody.

Learned Assistant Government Pleader would further submit that the accused persons are absconding and a notice under section 41A Cr.P.C is yet to be served on them. In so far as the JCB vehicle which is kept at police station, Form 60

is being submitted before the competent Court and it is open for the petitioner to seek release of the same by approaching the competent Court.

Recording the said submission, liberty is granted to the petitioner to move the appropriate authority seeking release of the vehicle which is said to be involved in Crime No.522 of 2019.

With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

T. VINOD KUMAR, J

Date: 28.10.2019.

MRKR

