

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1839 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents.

2. The prayer sought in the writ petition is as under:

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ or order more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in not passing orders directing the 3rd respondent for release of the petitioner's vehicle bearing No.TS 04 UB 6846 which was seized in connection with FIR No.130 of 2019 on the file of the Station House Officer, Noothankal Police Station, Suryapet District in spite of the petitioner readiness to furnish the third party surety as being illegal, arbitrary and unjust and consequently direct the 2nd respondent to release the vehicle bearing No.TS 04 UB 6846 to the petitioner and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case.'

3. At the time of hearing, it is stated by the counsel on both sides that the issue raised in this writ petition is covered by the order dated 13.12.2017 passed by this Court in W.P.No.4208m of 2017.

4. Therefore, for the reasons alike as were stated in the aforesaid order, this Writ Petition is disposed of with a direction to the second respondent to release the vehicle bearing Registration No.TS 04 UB 6846 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings and on petitioner furnishing an immovable property security for Rs.1,00,000/- (Rupees one lakh only) in favour of the

second respondent and also on production of original R.C.Book and on his further giving an undertaking that he will not transfer or alienate the vehicle to third party in any manner and will maintain the vehicle in the same good roadworthy condition without changing its major parts and features and would produce the same as and when directed before any Court or competent authority. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHAHA RAO

Date:30.01.2020

PGS

