

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.2934 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:

‘...to issue a writ order or direction more particularly one in the nature of Mandamus declaring the action of the respondents 2 to 4 in seizing TATA Trolley bearing No.AP 15 TC 5531 in Crime No.262 of 2019 on the file of Huzurabad Police Station, Karimnagar District on the apprehension that the said vehicle will be used for transporting PDS Rice as illegal, arbitrary and consequently direct the respondents to release the TATA Trolley bearing No.AP 15 TC 5531 in Crime No.262 of 2019 on the file of Huzurabad Police Station, Karimnagar District in favour of the petitioner and to pass such other order or orders as this Hon’ble Court may fit and proper in the circumstances of the case.’

3. At the time of hearing, it is brought to the notice of this Court that in a case with identical facts, this Court disposed of many writ petitions. The petitioner submits that the seized vehicle of the petitioner may be released subject to giving security in the form of immovable property security.

4. Therefore, for the reasons alike as were stated, this Writ Petition is disposed of with a direction to respondent Nos.2 to 4 to release TATA Trolley bearing No.AP 15 TC 5531 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings, if any, on his furnishing Rs.1,00,000/- (Rupees one lakh only) immovable property security and also on production of the 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.

P. KESHAVA RAO, J

12th February 2020

mar

