

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.3336 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondent No.2 herein in not passing orders directing the 3rd respondent to release the petitioner’s DCM van bearing Reg.No.TS-06-UB-0520 seized in Cr.No.13/2020, in spite of my readiness to furnish the third party surety, as being illegal and arbitrary and to grant relief or reliefs as this Hon’ble Court deems 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 the third respondent to release DCM Van bearing Registration No.TS-06-UB-0520 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings, if any, on his furnishing immovable property security for the value of the vehicle as determined by the Motor Vehicle Inspector 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. KESHA RAO, J

18th February 2020

mar

