

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.3431 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, declaring the action of the 2nd respondent in not passing directing the 3rd respondent to release the TVS-XL-100 Moped bearing Reg.No.TS-26-A-3548 seized in C.O.R.No.262/2019 in spite of the readiness of the petitioner to furnish the third party surety, as being illegal, and arbitrary and consequently direct the 2nd respondent to order for release of the vehicle to the petitioner, and to grant such other 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 second respondent to release TVS-XL-100 Moped bearing Registration No.TS-26-A-3548 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings, if any, on her furnishing Rs.15,000/- (Rupees fifteen thousand only) immovable property security and also on production of the original R.C.Book and on her further giving an undertaking that she 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

18th February 2020

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