

THE HONOURABLE SRI JUSTICE P. KESHAVA RAO

WRIT PETITION No.4699 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 affidavit filed in support of writ petition, it is prayed that this Hon’ble Court may be pleased to issue any appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the Respondents No.2 and 3 to release the motor cycle bearing No.TS 22D 7017, Honda Grazia (orange colour), bearing chasis No.ME4JF9HEKW008779, and Engine No.JF49EW2019224 in favour of the petitioner, confiscated in connectin with Crime and Occurrence Report No.333/2019, dated 17.11.2019, and to pass such other order or orders as this Hon’ble Court may deem 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 and 3 to release Honda Grazia Motor cycle bearing No.TS 22 D 7017 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings, if any, on his furnishing Rs.40,000/- (Rupees forty thousand 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

3rd March 2020

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