HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 21540 OF 2020

Between:

L. Chokkaiah, S/o. Lasmaiah, Aged about 45 Years, Occ: Business, R/o. H. No. 2-93, Amanagurhy, Saidapur Mandal, Karimnagar District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Station House Officer, Saidapur, Saidapur P.S, Karimnagar District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in seizing the bike bearing No. TS02EK9027 Platina Bike, is illegal, arbitrary violation of principles of natural justice and as well as the fundamental rights guaranteed under the constitution of India consequently direct the respondents to release the petitioner above said vehicle.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to release the petitioner vehicle bike bearing No. TS02EK9027 Platina Bike, forthwith pending disposal of the main writ petition.

Counsel for the Petitioner: SRI A. JAGAN

Counsel for the Respondents: AGP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.21540 OF 2020

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for the respondents.

2. This writ petition is filed praying to direct the respondents to release the vehicle bearing registration No.TS 02EK 9027 seized by the police consequent to Crime No.102 of 2020 on the file of Saidapur Police Station, Karimnagar.

3. Though learned counsel for the petitioner sought to contend that he is no way concerned with the alleged crime and he is not shown as accused, it is not disputed that the vehicle of the petitioner was seized in connection with the alleged crime committed by the accused shown therein.

4. If the petitioner intends to seek interim custody of the vehicle, he has to approach the Court of I Additional District and Sessions Judge, Karimnagar.

5. Granting the said liberty to the petitioner, the writ petition is dismissed. Pending miscellaneous petitions shall stand closed.

SD/-V.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,
1. One CC to Sri A. Jagan, Advocate [OPUC]
2. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies.

MP

HIGH COURT

DATED:22/12/2020



ORDER

WP.No.21540 of 2020

DISMISSING THE WRIT PETITION
WITHOUT COSTS

S
MMA
D 30/12/2020