

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 1911 OF 2025

Between:

Bhukya Laxman, S/o Bhadya, Aged about 35 Years, Occ. Owner of Vehicle,
R/o H.No. 1-305/1, Thanda Colony, Tekulapall, Khammam District

...Petitioner / Owner of the Vehicle

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court for State of Telangana at Hyderabad
2. The Deputy Commissioner of Prohibition and Excise, Khammam, Khammam District
3. The Station House Officer, Prohibition and Excise Station Kothagudem, Bhadradi Kothagudem District

...Respondents / Respondents

Petition under Section 528 of BNSS r/w 486 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to directing the 2nd Respondent forth with to release the Petitioner vehicle i.e., Auto bearing Registration No. TS28T8280, Chassis No. MD2A96AYXKWK00010, Engine No. BAYWJJ33774, involved in C.O.R.No. 349 of 2024, dated 04/10/2024, on the file of Prohibition and Excise Station, Kothagudem, in spite of readiness to furnish the third party surety value of Rs.20,000/- before the 2nd Respondent.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Gajanand Chakravarthi, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1.

The Court made the following Order :

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.1911 of 2025

ORDER:

This Criminal Petition is filed by the petitioner to direct respondent No.2 to release the Auto bearing No. TS28T8280 seized in COR No.349 of 2024 on the file of Prohibition and Excise Station, Kothagudem District.

2. Heard Sri Gajanand Chakravarthi, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent– State.

3. Learned counsel for the petitioner submits that the seized vehicle is necessary to meet day-to-day basic needs of the petitioner. He further submitted that the petitioner is ready to furnish any security to the satisfaction of the trial Court. Hence, he prayed this Court to allow the Criminal Petition.

4. Learned Additional Public Prosecutor submitted that the vehicle seized is in the possession of 3rd respondent and the 2nd respondent shall direct the 3rd respondent to release the vehicle on an application filed before the 2nd respondent.

5. Considering the fact that the petitioner is only using his vehicle for his livelihood and day to day works and having regard to the

submissions of the learned counsel for the petitioner and learned Additional Public Prosecutor, this Court is inclined to direct the petitioner to file an application before 2nd respondent for release of vehicle and on such application being filed, 2nd respondent shall direct 3rd respondent to release the vehicle and grant interim custody of the vehicle in question on condition of petitioner executing a personal bond for a sum of Rs.20,000/- in favour of respondent No.2. The petitioner shall also furnish an undertaking that he will not alienate or change the physical features of the vehicle. Respondent No.2 shall write to the RTA authority not to transfer the vehicle in favour of any third party without clearance from the Excise Department. Needless to say, release of the vehicle is subject to the orders that shall be passed by respondent No.2 authority pursuant to the enquiry to be conducted under the provisions of the Prohibition Act.

6. Accordingly the criminal petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Kothagudem
2. The Deputy Commissioner of Prohibition and Excise, Khammam, Khammam District.
3. The Station House Officer, Prohibition and Excise Station Kothagudem, Bhadradi Kothagudem District
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad [OUT]
5. One CC to Sri Gajanand Chakravarthi, Advocate [OPUC]
6. Two CD Copies

VA 

HIGH COURT

DATED:11/02/2025

ORDER

CRLP.No.1911 of 2025



DISPOSING OF THE CRLP

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