IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16096 OF 2026

Between:

Bhukya Narendar,, S/o. Bhukya Mangi, Aged 23 years, Occ. Driver, R/o. H.No. 6-126, Venkatram Thanda, Kesamudram Mandal, Mahabubabad District. Pincode. 506112.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.
2. The Deputy Commissioner of Prohibition and Excise,, Warangal Division. Pincode. 506002.
3. The Station House Officer, Nellikudur Police Station, Mahabubabad District. Pincode. 506368.

...RESPONDENTS

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the 2nd respondent to release the petitioner's vehicle namely Ashok Leyland Goods Carriage - LMV, bearing registration No. TS-28-T-9343, which was seized in connection with FIR No. 201 of 2026, on the file of the Nellikudur Police Station, Mahabubabad District, in the interest of justice.

I.A. NO: 2 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the 2nd respondent to release the petitioner's vehicle namely Ashok Leyland Goods Carriage - LMV, bearing registration No. TS-28-T-9343, which was seized in connection with FIR No. 201 of 2026, on the file of the Nellikudur Police Station, Mahabubabad District, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri GAJE RAGHU, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, the Addl. Public Prosecutor on behalf of the Respondent No.1 and none appeared on behalf of the Respondent No.2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.16096 of 2026

CNR No. : HBHC010661542026

Date: 01.10.2026

Between:

Bhukya Narendar

...Petitioner

AND

The State of Telangana and two others

...Respondents

ORDER

This Criminal Petition has been filed seeking a direction to the Deputy Commissioner of Prohibition and Excise, Warangal Division, to release the petitioner's vehicle, namely, Ashok Leyland Goods Carriage-LMV, bearing registration No. TS-28-T-9343, which was seized in FIR No. 201 of 2026 of Nellikudur Police Station, Mahabubabad District.

2. Heard Mr.G.Raghu, learned counsel for the petitioner and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor for the respondents.

3. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle, namely, Ashok Leyland Goods Carriage-LMV, bearing registration No TS-28-T-9343. The petitioner's vehicle was taken into custody by the Excise Police for the offences under Section 34(e) of the Telangana State Excise Act (for short 'TSEA') and Sections 7(a) read with 8(e) of the Telangana State Prohibition Act (for short 'TSPA') in Crime No. 201 of 2026, on the alleged ground that petitioner along with other accused in the said crime were transporting black jaggery, liquor and other materials relating to it.

4. Learned counsel further submitted that the said vehicle is presently in the custody of respondent No. 2. Unless the subject vehicle is released, the petitioner will be put to great hardship, as he is eking out his livelihood based on the said vehicle. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and, therefore, requested this Court to release the said vehicle.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner, without approaching respondent No.2, by submitting an appropriate application for release of the vehicle, has

straightaway approached this Court and filed the present Criminal Petition.

6. By way of reply, learned counsel for the petitioner submitted that, in similar circumstances, this Court disposed of Crl.P. No. 8425 of 2024, and the petitioner is also entitled to the same relief.

7. Having considered the rival submissions made by the respective parties and upon perusal of the record, it reveals that the petitioner is an accused in FIR No. 201 of 2026 of Nellikudur Police Station, Mahabubabad District and his vehicle is involved in the said crime for the offences under Section 34(e) of the TSEA and Sections 7(a) r/w 8(e) of the TSPA. It is not in dispute that the vehicle is in the custody of respondent No.2.

8. Taking into consideration the peculiar facts and circumstances of the case, this Court is inclined to grant interim custody of the vehicle, namely, Ashok Leyland Goods Carriage-LMV, bearing registration No. TS-28-T-9343, on the condition that the petitioner execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties to the satisfaction of respondent No.2. The petitioner shall also furnish an undertaking that he shall not alienate the vehicle or change its

physical features. 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 state, the release of the vehicle is subject to the orders that may be passed by respondent No.2 pursuant to the enquiry to be conducted under the provisions of the Prohibition Act.

9. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Thorrur.
2. The Station House Officer, Nellikudur Police Station, Mahabubabad District
3. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. GAJE RAGHU Advocate [OPUC]
5. Two CD Copies

TPK/GNK

HIGH COURT

DATED: 01/10/2026

ORDER

CRLP.No.16096 of 2026



DISPOSING OF THE CRIMINAL PETITION

8 MT
7/10/26