

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46546 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to direct respondent No.2 to release the Bolero vehicle bearing registration No.AP 36 TB 5131 seized in connection with Crime No.106 of 2016 on the file of respondent No.2.

2. Heard and perused the material available on record.

3. It is case of the petitioner that the petitioner is the owner of the Bolero vehicle. While the black jaggery and alum was being transported, the above vehicle was seized by the respondent No.2. It is the case of the petitioner if the said vehicle is kept at the police station and if it is exposed to sun and rain, there is every possibility of damage to the vehicle.

4. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the Writ Petition is disposed of with the following directions:

“Respondent No.2 is directed to release the Bolero vehicle bearing registration No. AP 36 TB 5131 seized in Crime No.106 of 2016 for interim custody of the petitioner on his executing a personal bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) to the satisfaction of the 2nd respondent, subject to final orders to be passed at the time of disposal of above

crime, and also on production of original R.C. book.

The petitioner is directed to file an affidavit before the 2nd respondent undertaking that he shall not alienate the vehicle, shall not change the physical features of the same till the disposal of the above crime, and further he shall produce the vehicle as and when required.”

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

30th December, 2016
Tsr

RAJA ELANGO, J



