

**THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY**

**WRIT PETITION No.18215 of 2022**

**ORDER:-**

This Writ Petition for a Mandamus is filed to declare the action of respondent No.3 in not returning the property that was seized from the house of the petitioner on 28.02.2020 including the passport as illegal and consequently sought direction to 3<sup>rd</sup> respondent – Additional superintendent of Police, CID to return the said property to the petitioner.

2. Heard learned counsel for petitioner, learned Assistant Government Pleader for Home appearing for 1<sup>st</sup> respondent and learned Standing Counsel for CID representing the respondents 2 and 3.

3. The facts of the case show that a case in Crime No.14 of 2020 was registered by CID police of Amaravati for the offences punishable under Sections 420, 506 r/w 120(B) of the Indian Penal Code, 1860, Sections 3(1) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989 and Section 7 of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 against the petitioner and others. It appears that searches were made in the house of the petitioner in connection with the said crime during the course of investigation and that certain gold and the documents, passport and the locker key which are of described in Page No.15 which is enclosed to this writ petition were seized from the house of the petitioner by the police on 28.02.2020.

4. Now the grievance of the writ petitioner is that when the petitioner approached the trial Court seeking interim custody of the said property including the documents by way of filing an appropriate application under the provisions of Criminal Procedure Code that the trial Court declined to entertain the said petition on the ground that the property is not produced before the said court. Therefore, the petitioner is before this Court by way of filing this writ petition seeking the aforesaid relief.

5. Learned Standing Counsel for CID would submit that it is a fact that the police have seized gold and the said documents which are enumerated in Page No.15 of the material papers from the house of the petitioner during the course of investigation. He would submit that the gold ornaments were already returned to the petitioner as they are not required in connection with the said crime. As regards the other documents, passport and locker key etc., which are all shown in Page No.15 of the material papers, learned Standing Counsel for CID would submit that the said documents, passport and the locker key etc., were also not necessary for the purpose of investigation in connection with the said crime and that the police are ready to return the said property to the petitioner.

6. Therefore, in view of the aforesaid submission made by learned Standing Counsel for CID, on instructions that the said documents, passport and locker key etc., are now not required for the purpose of investigation in connection with the said

crime, this Writ Petition is disposed of with a direction to the 3<sup>rd</sup> respondent to return all the said documents, passport and locker key etc., which are shown in Page No.15 of the material papers to the writ petitioner within three (3) days from the date of this order on proper identification and acknowledgment. No costs.

Miscellaneous petitions, if any pending, in the Writ Petition, shall stand closed.

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**JUSTICE CHEEKATI MANAVENDRANATH ROY**

Date: 30.06.2022  
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**THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY**

**WRIT PETITION No.7499 of 2022**

**Date: 28-06-2022**

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