

APHC010314572025



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI



MONDAY THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION NO: 6513 OF 2025

Between:

J Asraf Ali, S/o. S Jabbar Saheb Aged about. 38 years, R/o. 25-515/B
Gandhi Nagar, Palamaner, Chittoor

...PETITIONER

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of AP at
Amaravathi Through the Station House Officer, Chennethapalli Police
Station, Sri Sathya Sai District.

...RESPONDENT

Petition under Section 482 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 respondents to release the Ashok Leyland
vehicle bearing No: AP39 VB 2202 in connection to Crime No. 34/2025
dt.06.05.2025 was registered by the SHO, Chennethapalli Police Station,
Sri Sathya Sai District

Counsel for the Petitioner : SRI P SRAVAN KUMAR REDDY

Counsel for the Respondent : PUBLIC PROSECUTOR

The Court made the following ORDER :



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3457]

**MONDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION NO: 6513/2025

Between:

J Asraf Ali

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.P SRAVAN KUMAR REDDY

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following:

ORDER:-

Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor appearing for the State.

2. The petitioner is seeking a direction to release the vehicle, i.e., Ashok Leyland Vehicle bearing registration No. AP-39-VB-2202, which was seized in Crime No. 34 of 2025 of Chennethapalli Police Station, Sri Sathya Sai District, registered for the offences punishable under Section 318(4) r/w 3(5) of BNS and Section 7(1) of the Essential Commodities Act, 1955.

3. Learned counsel for the petitioner submitted that the petitioner is the registered owner of the subject vehicle and that if the vehicle is exposed to sun and air, it gets damaged. It is further submitted that the petitioner is ready to abide by the conditions that may be imposed by this Court, if the vehicle is ordered for interim custody. He placed reliance on the decision of the Hon'ble Supreme Court of India in ***Sunderbhai Ambalal Desai v. State of Gujarat***¹.

4. The learned Public Prosecutor not opposed for the interim custody of the vehicle to the petitioner.

5. Having regard to the submissions made by the learned counsel for the petitioner and facts and circumstances of the case, the Criminal Petition is disposed off and the vehicle i.e., Ashok Leyland Vehicle bearing registration No. AP-39-VB-2202, seized in Crime No. 34 of 2025 of Chennethapalli

¹ AIR 2003 SC 638

Police Station, Sri Sathya Sai District, shall be released for the interim custody of the petitioner herein, subject to final orders, that may be passed at the time of disposal of the main case, on execution of a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each to the satisfaction of the Jurisdictional Magistrate concerned. It is further directed that the petitioner shall not alienate the vehicle, shall not change its physical features or create any encumbrance or charge on the same. He shall produce the vehicle whenever he is directed to do so by the trial court.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Chennekothapalli Police Station, Sri Sathya Sai District
2. One CC to Sri. P Sravan Kumar Reddy Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh, Amaravati [OUT]
4. Three CD Copies

MKP

TAC

HIGH COURT
DATED:30/06/2025

ORDER
CRLP NO. 6513 OF 2025



DISPOSING THE CRLP