

HONOURABLE SRI JUSTICE NINALA JAYASURYA**WRIT PETITION No.19902 of 2020****ORDER:**

This Writ Petition is filed seeking to declare the proceedings C.No.305/SEB-ATP/2020, dated 13.10.2020 issued by the Superintendent of Police, Anantapuramu, Anantapuramu District thereby directing the petitioner to deposit Fixed Deposit of Rs.10,50,000/- as a condition precedent for giving interim custody of vehicle bearing No.KA 01 AE 6465 detained in connection with Cr.No.338 of 2020 of Ramagiri Police Station, Anantapuramu District, as illegal and arbitrary.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Prohibition and Excise appearing for respondents 1 and 2 and learned Assistant Government Pleader for Home appearing for respondents 3 and 4.

3. The Writ Petition is disposed of with the consent of all the parties at the stage of admission, since it is submitted that similar matters of this nature are being disposed of with certain directions for release of the vehicle.

4. The learned counsel for the petitioner submitted that the issue involved in the writ petition is covered by an order, dated 28.09.2020, passed in W.P.No.17427 of 2020. In the said writ petition, the Hon'ble Court was pleased to modify the condition imposed by the excise authorities for release of vehicle. Similar

relief is also sought for in the present writ petition challenging the order dated 13.10.2020 wherein the petitioner has been directed to furnish a fixed deposit of Rs.10,50,000/- as a condition precedent for giving interim custody of the petitioner's vehicle bearing registration No. KA 01 AE 6465 detained in connection with Cr.No.338 of 2020 of Ramagiri Police Station, Anantapuramu District, pending confiscation proceedings.

5. Perused the order passed in W.P.No.17427 of 2020. In view of the order in the said writ petition, and in view of the submission that similar order can as well be passed in the present writ petition, this Court is inclined to dispose of the present writ petition.

6. Following the orders passed in W.P.No.17427 of 2020, the Writ Petition is disposed of with a direction to 3rd respondent to release the vehicle bearing registration No. KA 01 AE 6465 on furnishing immovable security worth Rs.10,50,000/- and by executing a personal bond in favour of 3rd respondent strictly adhering to the Stamps and Registration laws. Further, the immovable property, which is given as security, shall preferably either belong to the petitioner or any of his immediate family members. It is needless to mention that before accepting the same, the authorities shall verify the authenticity of the documents. Apart from that, the petitioner herein shall not alienate, alter or change the nature of the vehicle and shall produce the same as and when required, in default, the

respondent authorities are directed to proceed further in accordance with law. There shall be no order as to costs.

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

JUSTICE NINALA JAYASURYA

Date: 22.10.2020
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HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.19902 of 2020

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