



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

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 33960 OF 2025

Between:

1. KUNABALAN, S/o Saravanan, Aged 25 years, Resident of D.No. 336, North Street, Thiruthuraiyur, Thiruthuraiyur, Cuddalore-607205, Tamil Nadu State.

...Petitioner

AND

1. The State of Andhra Pradesh, represented by its Principal Secretary, Home Department, Velagapudi, Amaravati, Guntur District, Andhra Pradesh.
2. The Superintendent of Police, Bapatla, Bapatla District, Andhra Pradesh.
3. The Station House Officer, Bapatla Rural Police Station, Bapatla, Bapatla District, Andhra Pradesh.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent/SHO hold my Ashok Leyland Bada Dost 13 plus TNDD Vehicle bearing No. TN-31-CP-7057 pertaining to Cr.No.202/2025, dated 14.11.2025, under Section 125 (a) of Bapatia Rural Police Station, Bapatia District without

following any procedure established by law as illegal, arbitrary and principle of natural justice and violative of the procedure contemplated under the BNSS, and the rules made there under apart from being violation of Article 14, 19(1)(g) and 300-A of Constitution of India and consequently direct the 3rd respondents to release the petitioner vehicle i.e., Ashok Leyland Bada Dost 13 plus TNDD Vehicle bearing No. TN-31-CP-7057 pertaining to Cr.No.202/2025, dated 14.11.2025, under Section 125 (a) of Bapatia Rural Police Station, Bapatia District and passing

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased Pleased to direct the direct the 3rd respondents to release the petitioner vehicle i.e., Ashok Leyland Bada Dost 13+TNDD Vehicle bearing No. TN-31-CP-7057 pertaining to Cr. No.202/2025, dated 14.11.2025, under Section 125 (a) of Bapatia Rural Police Station, Bapatia District pending disposal of the above writ petition and passing

Counsel for the Petitioner: V SAI KUMAR

Counsel for the Respondents: GP FOR HOME

The Court made the following order:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 33960 OF 2025

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

to pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent/SHO hold my Ashok Leyland Bada Dost 13 plusTNDD Vehicle bearing No. TN-31-CP-7057 pertaining to Cr.No.202/2025, dated 14.11.2025, under Section 125 (a) of Bapatia Rural Police Station, Bapatia District without following any procedure established by law as illegal, arbitrary and principle of natural justice and violative of the procedure contemplated under the BNSS, and the rules made there under apart from being violation of Article 14, 19(1)(g) and 300-A of Constitution of India and consequently direct the 3rd respondents to release the petitioner vehicle i.e., Ashok Leyland Bada Dost 13 plus TNDD Vehicle bearing No. TN-31-CP-7057 pertaining to Cr.No.202/2025, dated 14.11.2025, under Section 125 (a) of Bapatia Rural Police Station, Bapatia District and passing...”

2. Heard Sri V.Sai Kumar, learned counsel for the petitioner and Sri V.Farooq, learned Assistant Government Pleader for Home appearing for the official respondents.

3. The learned counsel for the petitioner submits that in connection with Cr.No.202/2025 dated 14.11.2025, registered for the offence punishable under Section 125(a) of the BNS, the petitioner's vehicle was seized by the

police and has been kept at the police station for the past twenty-five days without initiating any steps as required under law.

4. The learned Assistant Government Pleader seeks time to obtain instructions in the matter.

5. Considering the submissions made, this Court finds it appropriate to dispose of the writ petition by directing the police officer concerned, who is conducting investigation in Cr.No.202/2025, to take necessary action strictly in accordance with law with respect to the seized vehicle, within one week from the date of receipt of a copy of this order. The petitioner is also at liberty to approach the concerned police station seeking release of the vehicle in accordance with law. There shall be no order as to costs.

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

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 05.12.2025
KKV

W.P.No.33960 of 2025

Dated.05.12.2025

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: W.P.No.33960 of 2025

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
	05.12.2025	<u>Dr.VJP,J</u> The Writ Petition is disposed of. (vide separate order) KKV <u>Dr.VJP,J</u>	