

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5014 OF 2026

Between:

Midde Swamy Goud, S/o. Bala Goud, Age. 54 years, Occ. Business, (Owner of the Vehicle bearing No. TS-09-EV-7353), R/o. Plot No.40, Brundavan Colony, Zaheerabad, Sangareddy District.

AND

...Petitioner/Owner of the Vehicle/A-2

1. The State of Telangana, Represented by its Public Prosecutor, High Court for State of Telangana at Hyderabad
2. The Station House Officer, Zaheerabad Town Station, Sangareddy District

...Respondents/Respondents

Petition under Section (482 of Cr.P.C R/w 457 of Cr.P.C code) 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to directing the 2nd Respondent forth with to release the Petitioner vehicle-Hyundai- Creta Car bearing TS-09-EV-7353 Chassis No. MALC381UMHM309726J, Engine No.D4FBHM421914, to the petitioner seized vide in the FIR.No.147/2025 dated 15.05.2025 of SHO, Zaheerabad Town, Sangareddy District by setting aside the order of the trial court.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Kasireddy Mohan Chandra Has, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of Respondents.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5014 of 2026

Date: 07.04.2026

Between:

Midde Swamy Goud

...Petitioner

AND

The State of Telangana, Represented by its Public Prosecutor,
High Court for the State of Telangana at Hyderabad and another.

...Respondent

ORDER

This Criminal Petition has been filed aggrieved by the dismissal order passed by the I Additional District and Sessions Judge at Sangareddy in CrI.M.P.No.80 of 2026 in Crime No.147 of 2025 of P.S. Zaheerabad Town seeking interim custody of the petitioner's vehicle namely Hyundai Creta Car bearing registration No.TS-09-EV-7353.

2. Heard Mr. Kasireddy Mohan, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondents.

3. Learned counsel for the petitioner submitted that the petitioner is the owner of the Hyundai Creta Car bearing registration No.TS-09-EV-7353 and the said vehicle was seized by the Station House Officer, Zaheerabad Town Police Station, in respect of F.I.R.No.147 of 2025 on the alleged ground that accused No.2 was transporting contraband i.e., 770 grams of Alprazolam in the said vehicle. The petitioner is not an accused in the said crime, and he has not committed any offence under the provisions of Section 8(c) read with 22(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the NDPS Act"). He further submitted that the petitioner is a third party, and he filed an application seeking release of the vehicle before the learned I Additional District and Sessions Judge, Sangareddy. However, the trial Court, without properly considering the contentions raised by the petitioner, erroneously dismissed the said application on 12.02.2026. The vehicle has been in the custody of Station House Officer, Zaheerabad Town Police Station, for the past one and half year and the petitioner is ready and willing to abide by the conditions which are going to be imposed by this Court. He also submitted that the petitioner is using the vehicle for his personal

use and unless the vehicle is released, the petitioner will be put to great hardship.

4. *Per contra*, learned Additional Public Prosecutor submits that the petitioner is not entitled to seek interim custody of the vehicle till disposal of the said case before the Trial Court.

5. Having considered the rival submissions made by the respective parties and after perusal of the record, it reveals that the petitioner's vehicle was seized in respect of F.I.R.No.147 of 2025 dated 15.05.2025 and since then, the vehicle was kept under the safe custody of Police Station premises in Zaheerabad Town Police Station. Even according to the Police, the petitioner was not an accused in the said crime.

6. Taking into consideration the peculiar facts and circumstances of the case, the impugned order passed by the I Additional District and Sessions Judge at Sangareddy in CrI.M.P.No.80 of 2026 in Crime No.147 of 2025 is set aside and this Court is inclined to grant interim custody of the petitioner's vehicle namely Hyundai Creta Car bearing registration No.TS-09-EV-735, subject to the condition that the petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties each for a like sum to the satisfaction of the learned I Additional

District and Sessions Judge at Sangareddy and also on his furnishing an undertaking that he shall not alienate the vehicle, shall not change its physical features, till the disposal of the proceedings, and he shall produce the vehicle as and when required. The Station House Officer, Zaheerabad Town Police Station shall write to the RTA authority not to transfer the vehicle in favour of any third party till the disposal of CrI.M.P.No.80 of 2026 in Crime No.147 of 2025 on the file of the I Additional District and Sessions Judge at Sangareddy.

7. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Zaheerabad
2. The Station House Officer, Zaheerabad Town Police Station, Sangareddy District
3. One CC to SRI. KASIREDDY MOHAN CHANDRA HAS, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

ADK/PSL

Bm

CC Today

HIGH COURT

DATED: 07/04/2026



ORDER

CRLP.No.5014 of 2026

DISPOSING OF THE CRLP

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