



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO. 22216 OF 2025 (EXCISE)

BETWEEN:

SRI. N. D. JAYADEVAPPA
S/O. LATE DYAMAPPA,
AGED ABOUT 64 YEARS,
ADVOCATE, HIGH COURT,
R/AT FLAT NO.004, GROUND FLOOR,
BINDU AMULYA APARTMENT,
MUDDINAPALYA MAIN ROAD,
ANJANANAGAR, MAGADI ROAD,
BENGALURU-560 091.

...PETITIONER

(BY SRI. N. K. SIDDESWAR, ADVOCATE FOR
SRI. B. RAJA SUBRAMANYA BHAT., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
DEPARTMENT OF EXCISE,
MULTISTORIED BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001.
2. THE DEPUTY COMMISSIONER OF EXCISE
AND AUTHORIZED OFFICER,
BENGALURU URBAN DISTRICT-1,
ZONE-006, YESHWANTHPURA,
BENGALURU-560 022.
3. THE EXCISE INSPECTOR
RANGE-5, SUBRAMANYANAGAR,

Digitally signed by
MAHALAKSHMI B M
Location: HIGH
COURT OF
KARNATAKA



BENGALURU-560 023.

...RESPONDENTS

(BY SRI. MANJUNATH B, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W 538 OF BNSS (482 OF CR.P.C.) PRAYING TO DIRECT THE RESPONDENT NOS.2 AND 3 TO RELEASE THE SEIZED ARTICLES; REFUND THE CASH DEPOSIT OF RS.90,000/- AND BY CANCELLING THE INDEMNITY BOND OF THE PETITIONER BY ALLOWING THE PETITIONER'S REPRESENTATION DATED 02.06.2025 VIDE ANNEXURE-J.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

The petitioner has approached this Court seeking the following reliefs:

- a) *"Issue writ in the nature of mandamus and further direct the Respondent Nos.2 and 3 to release the seized articles; refund the cash deposit of Rs.90,000/- and by canceling the Indemnity Bond of the petitioner by allowing the petitioner's representation dated 02.06.2025 vide Annexure-J.*
- b) *Pass any appropriate writ, order or direction as deemed fit under the facts and circumstances of the case, in the interest of justice and equity."*



Brief Facts:

2. The respondent-authorities registered a case against the petitioner under the provisions of the Karnataka Excise Act, 1965 and seized the petitioner's vehicle and liquor bottles. The petitioner challenged the criminal proceedings in CrI.P. No.3726/2024, wherein this Court by order dated 20.01.2025 quashed the proceedings.

3. Pursuant to the said order, the petitioner submitted a representation dated 02.06.2025 seeking release of seized articles, refund of the deposit amount of ₹90,000/- and cancellation of indemnity bond. However, the said representation was not considered, compelling the petitioner to file the present writ petition.

4. Learned AGA for the respondents has filed a memo, along with the order dated 24.11.2025 passed by respondent No.2 and submits that the vehicle has already been released and the cash deposit of ₹90,000/- has been



refunded pursuant to the order passed in CrI. P. No.3726/2024 dated 20.01.2025.

5. Learned counsel for the petitioner submits that despite the quashing of criminal proceedings, the respondents have failed to consider the representation insofar as it relates to release of seized goods.

6. At this stage, learned AGA submits that the representation dated 02.06.2025 insofar as it relates to release of seized goods will be considered in accordance with law.

7. It is not in dispute that the respondents have complied with part of the reliefs by releasing the vehicle and refunding the deposit amount, the grievance of the petitioner persist insofar as non-consideration of the representation relating to seized goods.

8. In view of the submission made by the learned AGA that the said representation would be considered in accordance with law, necessary direction to the competent



authority is warranted. Accordingly, this Court pass the following:

ORDER

- i. The writ petition is ***disposed of.***
- ii. A writ of mandamus is issued directing respondent No.2 to consider the petitioner's representation dated 02.06.2025 (Annexure-J), insofar as it relates to release of the seized goods, in accordance with law, within a period of four (4) weeks from the date of receipt of a certified copy of this order.

Sd/-

JUSTICE K.S. HEMALEKHA