



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

[3560]

THURSDAY, THE SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT PETITION NO: 2092/2026

Between:

1. NAREDLA SANDHYA RANI, W/O VENKATESWARA RAO, AGED ABOUT 42 YEARS, R/O D.NO. 4-5/6, GOLLAPUDI VILLAGE, VIJAYAWADA RURAL, NTR DISTRICT, ANDHRA PRADESH -521225.

...PETITIONER

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY, (PROHIBITION EXCISE DEPARTMENT), SECRETARIAT BUILDINGS AT VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH-522237.

2. THE SUPERINTENDENT OF POLICE, ELURU, ELURU DISTRICT, ANDHRA PRADESH- 534006.

3. THE STATION HOUSE OFFICER, CHATRAI POLICE STATION, ELURU DISTRICT, ANDHRA PRADESH-521214.

...RESPONDENT(S):

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 or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 and 3 herein in not releasing the vehicle of the petitioner vehicle bearing No AP 39 HX 4421 Maruti Suzuki Ertiga of the petitioner in CC No. 821/2024 in Crime No 188/2024 in Chatrai Police Station, Eluru District in spite of acquittal in the crime in question in FIR No. 188/2024 on the file of the 3rd respondent police

station under the guise of the order in writ petition in WP No. 8227 of 2025 dated 27.04.2025 for interim custody prior to acquittal of the case in CC No. 821/2024 as illegal, arbitrary and also abuse of power of police besides non application of executive mind and also oppose to all cannons of justice consequentially direct the respondents more particularly the respondents 2 and 3 herein to release the vehicle of the petitioner vehicle bearing No AP 39 HX 4421 Maruti Suzuki Ertiga forthwith as the case in CC No. 821/2024 in Crime No 188/2024 in Chatrai Police Station, Eluru District as the case ended in acquittal on 16.05.2025 by directing the 1st respondent to take stringent action against the respondents 2 and 3 herein for their deliration of duties and also non application of executive mind and to pass

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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 to direct the respondents more particularly the respondents 2 and 3 herein to release the vehicle of the petitioner vehicle bearing No AP 39 HX 4421 Maruti Suzuki Ertiga forthwith as the case in CC No. 821/2024 in Crime No 188/2024 in Chatrai Police Station, Eluru District as the case ended in acquittal on 16.05.2025 by directing the 1st respondent to take stringent action against the respondents 2 and 3 herein for their deliration of duties and also non application of executive mind pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1.V SAI KUMAR

Counsel for the Respondent(S):

1.GP FOR PROHIBITION EXCISE

2.GP FOR HOME

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA**WRIT PETITION NO: 2092/2026****Order:**

The instant Writ Petition is filed under Article 226 of the Constitution of India, seeking the following main prayer:

“.....declaring the action of the respondents 2 and 3 herein in not releasing the vehicle of the petitioner vehicle bearing No AP 39 HX 4421 Maruti Suzuki Ertiga of the petitioner in CC No.821/2024 in Crime No.188/2024 in Chatrai Police Station, Eluru District in spite of acquittal in the crime in question in FIR No. 188/2024 on the file of the 3rd respondent police station under the guise of the order in writ petition in WP No. 8227 of 2025 dated 27.04.2025 for interim custody prior to acquittal of the case in CC No. 821/2024 as illegal, arbitrary and also abuse of power of police besides non application of executive mind and also oppose to all cannons of justice consequentially direct the respondents more particularly the respondents 2 and 3 herein to release the vehicle of the petitioner vehicle bearing No AP 39 HX 4421 Maruti Suzuki Ertiga forthwith as the case in CC No. 821/2024 in Crime No 188/2024 in Chatrai Police Station, Eluru District as the case ended in acquittal on 16.05.2025 by directing the 1st respondent to take stringent action against the respondents 2 and 3 herein for their deliration of duties and also non application of executive mind and to pass.....”

2. Today, the matter is fixed for obtaining instructions from the respondent-authorities.

3. Learned counsel for the petitioner submits that no application is presently pending before the respondent-authorities and that the matter pertains to seizure of the petitioner's vehicle in connection with Crime No.821 of 2024. It is further submitted that the said criminal case has already ended in

acquittal. The petitioner, claiming to be the owner of the subject vehicle, has therefore approached this Court seeking appropriate relief.

4. Learned Assistant Government Pleader for Home submits that the competent authority in regard to confiscation is the Excise Department.

5. Taking note of the submissions made on either side, it appears that since the criminal case itself has ended in acquittal and no offence has been established against any of the accused or nothing has been established that any crime has been occurred in using the vehicle of the petitioner, there is no finding that the subject vehicle was used for commission of offence.

6. In view of the above circumstances, the petitioner is directed to approach the competent authority concerned by filing an appropriate application seeking release of the vehicle and other consequential reliefs, in accordance with law. Upon such application being filed, the concerned authority shall consider and dispose of the same by passing appropriate orders, strictly in accordance with law, within a period of three (3) weeks from the date of receipt of such application.

7. Accordingly, with the aforesaid direction, the Writ Petition is disposed of. There shall be no order as to costs.

SRI JUSTICE SUBHENDU SAMANTA

Date: 07.05.2026
ARB

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

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