

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU****I.A.No. of 2020****(for permission)****in****WRIT PETITION NO. 6435 OF 2020 & Connected matters****BETWEEN:**

Mohammed Arif Jameel.

**: PETITIONER****AND:**State of Karnataka  
and others**:RESPONDENTS**

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**APPLICATION UNDER SECTION 151 OF C.P.C. READ WITH ARTICLE  
226 & 227 OF CONSTITUTION OF INDIA**

1. It is submitted that after the nationwide lockdown was enforced from 25.03.2020, approximately 35,000 vehicles as on date have been seized within the limits of Bengaluru City for violation of the Lockdown conditions, more specifically for violation of Section 188 of the IPC., and Section 57(1)(b) of the Disaster Management Act. It is submitted that, in order to secure release of the vehicles, the violators will have to file applications before the concerned Magistrate under the relevant provisions of the Cr.P.C.

It is submitted that if the above procedure is followed, it would lead to an unmanageable number of applications being filed before the Magistrate. It would also lead to crowding in the Magistrate's Courts, defeating the object of social distancing in the advent of COVID-19 Pandemic. It is therefore, prayed that this Hon'ble Court permit the jurisdictional Police Officer to exercise power under Sections 102(3) of the Cr.P.C. and the relevant provisions of the Indian Motor Vehicles Act, and release the vehicles upon furnishing of bond or any other security. It is submitted that the above process would speed up the process of release of vehicles and also prevent a massive number of applications being filed before the Magistrate's Courts. It is therefore, prayed that this Hon'ble Court be pleased to ALLOW the above Application and permit the jurisdictional Police Officer to release the seized vehicles during the Lockdown period in exercise of powers conferred under Section 102(3) of the Cr.P.C. and relevant provisions of the Indian Motor Vehicles Act, in the interest of justice and equity.

BENGALURU

DATE:

**(VIKRAM HUILGOL)**

HIGH COURT GOVT. ADVOCATE

AND

ADVOCATE FOR RESPONDENTS- STATE

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