

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

CRIMINAL REVISION CASE No.1918 of 2015

Between:

Sri Lalitha Traders, Sri Sidda Rameshwara Gunj,
Biknoor village and Mandal, Nizamabad District
rep., by its Proprietor.
..Petitioner

And

1. The State of Telangana through S.H.O., Hanamkonda
Prohibition & Excise Station, Warangal District,
rep., by Public Prosecutor, High Court, Hyderabad
..Respondent.

DATE OF JUDGMENT PRONOUNCED: 09.9.2015

SUBMITTED FOR APPROVAL:

-

THE HONOURABLE SRI JUSTICE RAJA ELANGO

1. Whether Reporters of Local newspapers may be :: Yes/No

Allowed to see the judgments?

2. Whether the copies of judgment may be marked :: Yes/No

To Law Reporters/Journals

3. Whether Their Ladyship/Lordship wish to see :: Yes/No

the fair copy of Judgment?

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1918 OF 2015

-

ORDER:

-

The petitioner filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order dated 3.09.2015 passed by the Special Judicial Magistrate of First Class for Prohibition & Excise Cases at Warangal, in CrI.M.P.No.339 of 2015 in Crime No.576 of 2015-16.

Heard and perused the material available on record.

When the petitioner approached the Court below with the impugned application seeking release of the seized property in the above crime i.e., 6550 kgs of black jaggery, the learned Magistrate vide impugned order dismissed the application on the ground that the said Court has no jurisdiction to entertain the said application.

Learned Counsel for the petitioner submitted that the Court below has jurisdiction to entertain the above CrI.M.P. and direct the authorities concerned to release the stocks and that the value of the seized stocks will be diminished if they are kept idle in the premises of Prohibition & Excise station.

Admittedly, black jaggery seized from the possession of the petitioner in the above referred crime is not prohibited article under any law and its possession is also not

barred by the provisions of any Statute.

Considering these circumstances, interim custody of 6550 kgs of black jaggery seized in the above referred crime shall be entrusted to the interim custody of the petitioner on condition of the petitioner executing a personal bond for a sum of Rs.1,00,000/- (Rupees One lakh only) to the satisfaction of the Special Judicial Magistrate of First Class for Prohibition & Excise Cases at Warangal.

Accordingly, the Criminal Revision Case is allowed. Consequently, miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 9.09.2015

Nn

HONOURABLE SRI JUSTICE RAJA ELANGO

-

-

-

-

-

-

-

-

CRIMINAL REVISION CASE No.1918 OF 2015

DATED: 9.9.2015

Nn