

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.919 OF 2015

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ORDER:

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The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the docket order dated 25.05.2015 passed in CrI.M.P.No.305 of 2015 in Crime No.109 of 2015 on the file of the Judicial Magistrate of First Class, Mulug, whereby the learned trial Judge dismissed the petition filed by the petitioner for release of the black jaggery.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petition filed by him before the Court below for release of the stocks seized, is dismissed, on the ground that the petitioner/accused possessed such a huge quantity of black jaggery for the purpose of manufacturing the intoxicant like arrack/gudumba. Learned counsel further submits that the black jaggery is not prohibitory item under the provisions of the Prohibition and Excise Act.

Considering the facts and circumstances of the case, this Court directs the Police Station concerned to release the black jaggery alone to the petitioner herein on execution of personal bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) with one surety to the satisfaction of the authorities concerned.

With the above direction, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

12.06.2015

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