

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.960 of 2015

JUDGMENT:

1. This revision is filed by the State aggrieved by judgment dated 29.9.2014 passed in CrI.A.No.19 of 2014 by the Principal Sessions Judge, Kadapa.

2. Brief facts of the case are as follows:

On credible information, the Vigilance & Endorsement Officials of Kadapa District along with Enforcement Deputy Tahsildar, Proddatur conducted raid on Sri Balaji Godowns, Proddatur on 22.7.2012 at 12 noon in the presence of mediators. At the time of inspection, the Manager of the said godown was present. During the inspection and verification of the stock, variations were found. Hence, the stocks were seized under the cover of panchanama. As such, a case was filed. The District Collector after holding an enquiry, ordered confiscation of 5% of the value of the seized stocks to the Government. Challenging the order of the District Collector, the respondent herein filed CrI.A.No.19 of 2014 before the Principal Sessions Judge, Kadapa. The learned Sessions Judge allowed the appeal. Aggrieved by the same, the State filed the present appeal.

3. Heard and perused the material available on record.

4. From the material available on record, it is obvious that the District Collector passed the order of confiscation on the ground that no claims were filed regarding small quantities of paddy, sunflower and black gram commodities found in the godown of the respondent and on the said ground alone, the District Collector confiscated 5% of the value of the stock seized. In the order of the District Collector, it is also clearly stated that the ryots and agriculturists stored their commodities in the godown of the respondent. While observing so,

the order passed by the District Collector attributing mala fides against the respondent and confiscating 5% of the seized stock, is not justifiable. Therefore, this Court feels that the judgment passed by the lower appellate Court setting aside the order of the District Collector, does not suffer from any illegalities warranting interference by this Court.

5. Accordingly, the Criminal Revision Case is dismissed. Consequently, the miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

15th June 2015
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