

**THE HON'BLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL REVISION CASE No.1772 OF 2015**

**ORDER:**

This Criminal Revision Case is filed against the order, dated 22.08.2015, passed in CrI..M.P. No.1118 of 2015 in Crime No.88 of 2015, by the Judicial Magistrate of First Class, Nakrekal.

The brief facts of the case are that on credible information, the Sub-Inspector of Police, Kathepally PS., along with his staff, raided on the house of the one Peetla Aurjunaiah – A1 and found 10 liters of ID liquor and 50 kgs., of black jaggery and 10 kgs., of alum. On the confession of A1, the police raided on the shop of the petitioner – A2 and found 3,000 kgs., of black jaggery and 1,000 kgs., of alum in his shop. As the petitioner is selling the black jaggery and the alum without there being any licence, the police seized the said stock in the presence of panchas, and registered a case in Crime No.88 of 2015 for the offence under Section 7 (A) read with 8(e) of A.P. Prohibition Act and 34(e) of A.P. Excise Act. The petitioner – A2 filed an application before the Judicial Magistrate of First Class, Nakrekal, for release of the seized stock, stating that he is the owner of the said stock. The learned Magistrate dismissed the said application. Hence, this revision.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner purchased the black jaggery and the alum under valid bills and since the property is perishable in nature, it would get damaged if it is not used, and the petitioner is ready and willing to furnish sufficient surety for release of the stock.

Learned Public Prosecutor also submitted that interim custody of the stock can be granted to the petitioner by imposing certain

conditions.

Considering these circumstances, the respondent is directed to release the stock i.e. black jaggery and alum seized in Crime No.88 of 2015 of Kathepally Police Station, to the petitioner for interim custody, subject to the final orders being passed in the main case, on petitioner executing a personal bond for Rs.80,000/- (Rupees eighty thousand only). This order will not stand in the way of the respondent to proceed with confiscation proceedings. If already confiscation orders are passed, the order need not be given effect to.

Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

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**RAJA ELANGO, J**

**August 28, 2015.**  
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