

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.2125 of 2015

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ORDER

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Petitioner preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the docket order dated 18-09-2015 passed in C.F.No.586 of 2015 in C.O.R.No.389 of 2015-16 by the learned Judicial First Class Magistrate at Devarakonda, Nalgonda District.

2. Heard and perused.

3. When the petitioner approached the trial Court with the impugned application under Section 457 Cr.P.C. seeking release of 1500 Kgs of black jaggery and 50 Kgs of alum seized in C.O.R.No.389 of 2015-16 of Devarakonda Prohibition and Excise Station, the learned Magistrate vide impugned order returned the same on the ground that the trial Court has no jurisdiction to entertain the impugned application.

4. Learned counsel for the petitioner submitted that the value of the seized stocks will be diminished if they are kept idle in the premises of the Excise Station.

5. Admittedly, black jaggery and alum seized from the possession of the petitioner in the above referred crime are not prohibited articles under any law and their possession is also not barred by the provisions of any Statute.

6. Considering the facts and circumstances, the seized 1500 Kgs of black jaggery and 50 Kgs of alum in the above referred crime shall be entrusted to the interim custody of the petitioner on petitioner's execution of a personal bond for Rs.2,75,000/- (Rupees

Two Lakhs Seventy Five thousand only) with one surety for the like sum to the satisfaction of the trial Court.

7. Accordingly, the Criminal Revision Case is allowed.

8. Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

01st October, 2015

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