

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1746 OF 2015

ORDER:

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 order, dated 12.12.2014, passed in C.F.R.No.5909 of 2014 in Crime No.19 of 2014 by the learned Judicial Magistrate of First Class, Special Court for the trial of Prohibition & Excise Offences, at Khamma, whereby the learned Judge returned the petition filed by the petitioner for release of black jaggery, for want of jurisdiction.

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 returned, on the ground that the said Court has no jurisdiction.

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 a personal bond of Rs.50,000/- (Rupees fifty thousand only) with one surety to the satisfaction of the authorities concerned. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

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

30.07.2015

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