

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

CRIMINAL REVISION CASE No.1886 of 2015

Between:

Theretipally Ramesh.

..Petitioner

And

1. The State of Telangana through S.H.O., Devarakonda
Police Station, Nalgonda District,
rep., by Public Prosecutor, High Court, Hyderabad and another

..Respondents.

DATE OF JUDGMENT PRONOUNCED: 04.9.2015

SUBMITTED FOR APPROVAL:

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

1. Whether Reporters of Local newspapers may be :: Yes/No
Allowed to see the judgments?

2. Whether the copies of judgment may be marked :: Yes/No
To Law Reporters/Journals

3. Whether Their Ladyship/Lordship wish to see :: Yes/No
the fair copy of Judgment?

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1886 OF 2015

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ORDER:

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The petitioner filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order dated 1.09.2015 passed in C.F.R.No.585 of 2015 in Crime No.250 of 2015 by the Judicial First Class Magistrate, Devarakonda.

Heard and perused the material available on record.

When petitioner approached the Court below with impugned application under Section 451 Cr.P.C. seeking release of seized property in the above crime i.e., 300 bags of black jaggery (each bag contains 50 kgs) and 35 bags of alum (each bag contains 40 kgs), the learned Magistrate vide impugned order returned the same.

Learned Counsel for the petitioner submitted that the Court below has jurisdiction to entertain the above CrI.M.P. and direct the authorities concerned to release the stocks and that the value of the seized stocks will be diminished if they are kept idle in the premises of Prohibition & Excise station.

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.

Considering these circumstances, interim custody of 300 bags of black jaggery and 35 bags of alum seized in the above referred crime shall be entrusted to the interim custody of the petitioner on his execution of a personal bond for a sum of Rs.3,00,000/- (Rupees Three lakhs only) to the satisfaction of the Judicial Magistrate of First Class at Devarakonda.

Accordingly, the Criminal Revision Case is allowed.

Consequently, miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 4.09.2015
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HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.1886 OF 2015

DATED: 4.9.2015

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