

HONOURABLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1407 of 2015

ORDER:

Petitioners filed this Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the return of application i.e., CrI.M.P.SR.No.776 of 2015 in CrI.A.No.41 of 2015 on the file of the Principal District & Sessions Judge at Warangal, filed by the petitioner invoking the provisions under Section 6-C of the E.C. Act, 1955 read with Section 389 Cr.P.C.

The brief facts of the case are as follows :

The authorities concerned passed an order confiscating 30% of the seized stock worth Rs.4,08,600/- in favour of the Government. Aggrieved over the same, the petitioners herein preferred an appeal. During pendency of the appeal, petitioners filed the instant application to suspend the order passed by the authorities concerned. The said petition was returned by the Office concerned as to "How this petition is maintainable" and against which, the present revision is preferred.

This Court is of the view that if any application filed by the petitioner before the trial Court or appellate Court is refused by the Office, it is the duty of the petitioner or the

counsel for the petitioner to inform the same to the concerned Judicial Officer to decide the issue by way of mentioning the order passed by the Office concerned.

Hence, the Criminal Revision Case is disposed of with the following directions :

The petitioners are directed to file an application before the concerned Judicial Officer informing the rejection to number the petition filed by the petitioners herein and on such application, the Principal District & Sessions Judge, Warangal is directed to decide the issue in accordance with law.

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

RAJA ELANGO, J

23rd July, 2015

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