

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.505 of 2015

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ORDER :

The present Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure (Cr.P.C.), against the judgment dated 28.11.2014 passed in Crl.A.No.1 of 2014 on the file of the Principal Sessions Judge, Warangal, confirming the order dated 12.04.2013 passed in ECAC No.30 of 2013 on the file of the District Collector, Warangal.

The facts of the case are as under:

The petitioners are the partners in a rice mill under the name and style as M/s. Surya Industries, Maripeda. When the authorities inspected the premises, they found certain variations in ground stock with the register. Hence, they seized the stock and initiated proceedings under Section 6-A of the Essential Commodities Act. After calling for the explanation and after holding an enquiry, the District Collector, rejected the defence put forth by the petitioners in their explanation and accordingly ordered confiscation of 10% of the seized stock. The said order was questioned by way of filing Crl.A.No.1 of 2014 before the Principal Sessions Court, Warangal. The learned Principal Sessions Judge, by judgment, dated 28.11.2014, dismissed the appeal confirming the order passed by the District Collector. Aggrieved by the same, the present revision is preferred by the petitioners.

Learned counsel for the petitioners submits that due to rush of work and to supply of raw rice to the Andhra Pradesh State Civil Supplies Corporation Limited for successful running of the scheme in the District. Only to supply for fine quality of raw rice the petitioners could not concentrate on maintenance of the accounts in time.

Heard and perused the material available on record.

On a perusal of the material available on record, it is obvious that excess

quantity of rice and broken rice was found in the mill as against the records maintained by the petitioners. On appreciation of facts and circumstances of the case, the lower appellate Court confirmed the order passed by the District Collector. This Court finds no illegality or irregularity in the judgment passed by the lower appellate Court, but however, in the circumstances of the case, this Court is inclined to reduce the said confiscation from 10% to 5%.

With the above modification, the Criminal Revision Case is disposed of.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

09.04.2015

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