

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

CRIMINAL REVISION CASE No.1809 of 2015

Between:

The State of A.P. through the District Collector, Kadapa rep.,
by the Public Prosecutor, High Court of Judicature at
Hyderabad.

..Petitioner

And

1. Palleti Narayana Reddy and others.

..Respondents.

DATE OF JUDGMENT PRONOUNCED: 28.7.2015

SUBMITTED FOR APPROVAL:

THE HONOURABLE SRI JUSTICE RAJA ELANGO

1. Whether Reporters of Local newspapers may be Allowed to see the judgments? :: Yes/No
2. Whether the copies of judgment may be marked To Law Reporters/Journals :: Yes/No
3. Whether Their Ladyship/Lordship wish to see the fair copy of Judgment? :: Yes/No

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1809 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the State aggrieved by the judgment dated 29.9.2014 passed in CrI.A.No.73 of 2013 by the learned Principal Sessions Judge at Kadapa..

2. Brief facts of the case are as follows:

The Deputy Superintendent of Police, Vigilance and Enforcement, YSR Kadapa District along with officials of Vigilance and Enforcement Department inspected M/s. Sri Lakshmi Chenna Kesava Rural Godown, Pallavolu village, Chapadu Mandal on 17.10.2012 in the presence of mediators. At the time of inspection, V. Chandra Mohan Reddy, brother-in-law of V. Rama Devi, owner of the said godown was present. During inspection of records, it was noticed that the Proprietor of the said Godown has not been maintaining records properly. The Vigilance and Enforcement Officials seized the commodities in the presence of mediators under the cover of panchanama and handed over the same to the Proprietor of Sri Veerabhadraswamy Modern Rice Mill, Alladupalli for safe custody. The Tahsildar, Chapadu Mandal submitted a report under Section 6 A of the Essential Commodities Act. After following necessary formalities, the District Collector, Kadapa conducted enquiry and passed orders confiscating 10% of the value of the stock seized to the

Government. Hence, the respondents filed the above CrI.A. before the Principal Sessions Judge, Kadapa. The learned Sessions Judge after appreciating the facts and circumstances of the case, allowed the appeal setting aside the order of the District Collector. Aggrieved by the same, the State filed the present appeal.

3. Heard and perused the material available on record.

4. From the material on record, it is evident that the farmers stored their commodities in the godown of the respondents and there is no sufficient evidence on record showing that the stock was stored for the purpose of diverting the same into black market. Further, it is observed that the District Collector also did not record anything against the owner of the said Godown.

5. After perusing the findings recorded by the lower appellate Court, this Court is of the view that the judgment of the learned Principal Sessions Judge does not suffer from any illegality or irregularity warranting interference by this Court and hence, the appeal is liable to be dismissed.

6. Accordingly, the Criminal R.C. is dismissed. Consequently, the miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Dated: 28th July, 2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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