

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.497 of 2015

-

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 29.12.2014 passed in CrI.A.No.92 of 2014 on the file of the Principal Sessions, Warangal, confirming the order dated 01.09.2014 passed in E.C.A.C.No.67 of 2014 by the District Collector, Krishna, Machilipatnam, wherein the extent of confiscation of seized stock was restricted to Rs.1,01,275/-.

The facts of the case are as under:

The petitioners are owners of a mill which was run under the name and style of M/s. Sri Lakshmi Sai Agrotech Dal Mill situated in D.No.6-38, Moripirala Village, Warangal District. 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 20% of the seized stock. The said order was questioned by way of filing CrI.A.No.92 of 2014 before the Principal Sessions Court, Warangal. The learned Principal Sessions Judge, by judgment, dated 29.12.2014, dismissed the appeal confirming the order passed by the District Collector, but however restricted the extent of confiscation to Rs.1,01,275/- i.e. 20% of the value of seized stock. Aggrieved by the same, the present revision is preferred by the petitioners.

Learned counsel for the petitioners submits that the quantum of confiscation ordered by the Collector is on higher side and seeks further reduction.

Heard and perused the material available on record.

On a perusal of the material available on record, it is obvious that excess quantity of red gram (whole) and ground nut were 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 20% to 10%.

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

gkv