

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.2963 of 2015

ORDER:

This revision is preferred challenging the judgment dated 07-08-2015 passed in Criminal Appeal No.37 of 2015 on the file of the Principal Sessions Judge, Warangal, wherein and whereby the learned Principal Sessions Judge partly allowed the appeal setting aside the order of learned District Collector, Warangal with regard to confiscation of 75% of the seized stock worth of Rs.36,02,323/-, but confirming the same with regard to confiscation of 137 quintals of suspected recycled Public Distribution System rice, worth of Rs.2,19,200/- and value of rice of 242.20 quintals and broken rice of 15.64 quintals to the State.

The learned counsel for the petitioner submits that based on non-maintenance of true and correct accounts by itself no inference can be drawn that the petitioner is doing clandestine business. It is further submitted that the confiscation of Rs.6,23,924/- for alleged non-maintenance of accounts is highly disproportionate to the offence alleged.

Having heard the learned counsel for the petitioner and the learned Public Prosecutor and after perusing the material available on record, this Court is of the considered view that the confiscation of 50% of all the seized stocks would be appropriate.

Accordingly, the Criminal Revision Case is disposed of modifying the order of penalty imposed by the court below to that of 50% of all the seized stocks.

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

RAJA ELANGO, J.

01st December, 2015

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