HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1510 of 2015

ORDER:

This revision is preferred challenging the judgment dated 13-02-2015 in Criminal Appeal No.14 of 2014 on the file of the Principal Sessions Judge, Visakhapatnam, wherein and whereby the learned Sessions Judge partly allowed the appeal filed by the petitioner by reducing the penalty imposed, from the confiscation of 18 % of the seized stocks to that of 9 % of the seized stocks.

The learned counsel for the petitioner submits that the petitioner is not the owner of the stocks concerned, but the said stocks belong to the small traders from nearby villages and merely storing the stocks in the premises of the petitioner does not amount to commercial purpose.

Having heard the learned counsel for the petitioner and the Public Prosecutor and after perusing the material available on record, this Court is of the considered view that the confiscation of 4 % of the seized stocks would be appropriate.

Accordingly, the Criminal Revision Case is disposed of modifying the order of penalty from 9 % confiscation of stocks to that of 4 % confiscation of stocks.

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

RAJA ELANGO, J.

27th August, 2015

skmr