

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1892 OF 2015

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ORDER:
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The petitioner filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order dated 24.08.2015 passed in CrI.M.P.(SR) No.2153 of 2015 in Crime No.99 of 2015-2016 by the IV Metropolitan Magistrate, Ibrahimpattam.

Heard and perused the material available on record.

It is stated that when petitioner approached the Court below with impugned application seeking release of seized property in the above crime i.e., 7300 kgs of black jaggery and 4320 kgs of alum, the learned Magistrate vide impugned order returned the same.

Learned Counsel for the petitioner submitted that the Court below has jurisdiction to entertain the above CrI.M.P. and direct the authorities concerned to release the stocks and that the value of the seized stocks will be diminished if they are kept idle in the premises of Prohibition & Excise station.

Admittedly, black jaggery and alum seized from the possession of the petitioner in the above referred crime are not prohibited articles under any law and their possession is also not barred by the provisions of any Statute.

Considering these circumstances, interim custody of 7300 kgs of black jaggery and 4320 kgs of alum seized in the above referred crime shall be entrusted to the interim custody of the petitioner on his execution of a personal bond for a sum of Rs.1.50,000/- (Rupees One lakh and Fifty Thousand only) to the satisfaction of the Magistrate concerned.

Accordingly, the Criminal Revision Case is disposed of.

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

JUSTICE RAJA ELANGO

Date : 7.09.2015
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED: 7.9.2015

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