

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1828 of 2015

ORDER:

This revision is preferred challenging the judgment and decree dated 29-06-2015 in C.M.A. No.20 of 2014 on the file of the I Additional District Judge, West Godavari at Eluru, wherein and whereby the learned Additional District Judge dismissed the C.M.A., while reducing the percentage of confiscation of stock or its value from Q.145.00 to Q.75 of the rice variation.

The learned counsel for the petitioner submits that the minus variation found in the stocks is due to poor quality of paddy as they have to record the resultant rice as 68% per quintal of the paddy milled and the inspecting authorities also made the calculation at 68% to arrive the deficit and this is beyond the control of the millers as the quality of the paddy is not in the hands of the miller.

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 reducing of percentage of confiscation of stock or its value from Q. 75 to Q. 35 of the rice variation would be appropriate.

Accordingly, the Criminal Revision Case is disposed of modifying the order of penalty by reducing the percentage of confiscation of stock or its value from Q. 75 to Q. 35 of the rice variation.

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

RAJA ELANGO, J.

01st September, 2015

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