

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2033 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case being aggrieved by the order, dated 03.09.2015, passed in CrI.M.P.No.Nil of 2015 in Crime No.228 of 2015 by the Court of the Judicial Magistrate of First Class, Banaganapalle, whereby the learned trial Judge dismissed the petition filed by the petitioner for release of 428 rice bags, for want of jurisdiction.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petition filed by him before the Court below for release of the 428 rice bags is dismissed for want of jurisdiction. He further submits that the Court below has erroneously dismissed the petition and hence, he prays this Court to release the rice bags.

Learned Additional Public Prosecutor opposed for the same.

Considering the facts and circumstances of the case, this Court directs the Authorities concerned to release 428 bags of PDS rice to the petitioner herein on execution of personal bond for a sum of Rs.5,00,000/- (Rupees five lakhs only) with one surety to the satisfaction of the Magistrate concerned. However, this Order does not preclude the authorities concerned from proceeding with the confiscation proceedings.

With the above direction, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

12.10.2015
pln