

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2843 OF 2015

ORDER:

The petitioner-owner of the stock preferred 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 16.11.2015 passed in CrI.M.P.No.1288 of 2015 in PCOR No.490 of 15-16 by the Judicial Magistrate of First Class, Achampet, Mahaboobnagar District.

Heard and perused the material available on record.

When the petitioner approached the Court below with the impugned application seeking release of 600 kgs of jaggery seized in the above referred Crime, the Court below vide impugned order returned the impugned application. Hence, the petitioner filed this revision.

Learned Counsel for the petitioner submitted that the trial Court has got jurisdiction to direct the authorities concerned to release the stock and that the value of the seized stock will be diminished if it is kept idle in the premises of Excise station.

Admittedly, the jaggery seized in above referred crime is not prohibited article under any law and their possession is also not barred by provisions of any Statute.

Considering these circumstances, interim custody of 600 kgs of jaggery seized in above referred crime shall be given to the interim custody of the petitioner on condition of his executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the Judicial Magistrate of First Class, Achampet, Mahaboobnagar District.

Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 23.11.2015

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