

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

CRIMINAL REVISION CASE No.1612 of 2015

Between:

Kaitha Santosh

..... PETITIONER

AND

The State of Telangana represented by District

Collector, Nizamabad, represented by Public

Prosecutor, High Court, Hyderabad.

.....RESPONDENT

DATE OF JUDGMENT PRONOUNCED: **12.08.2015**

SUBMITTED FOR APPROVAL:

-

-

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

1. Whether Reporters of Local newspapers may be allowed to see the Judgments? Yes/No
2. Whether the copies of judgment may be marked to Law Reporters/Journals Yes/No
2. Whether Their Ladyship/Lordship wishes to see the fair copy of the Judgment? Yes/No

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.R.C.No.1612 of 2015

ORDER:

This Criminal Revision Case is filed questioning the correctness of the order of the learned Sessions Judge, Nizamabad, dated 29.07.2015 passed in Crl.M.P.No.474 of 2015 in Crl.A.No.74 of 2015, whereby the learned Sessions Judge having considered the submission of the learned Public Prosecutor passed the following order:

“The stock seized by the respondent is ordered to be released to the petitioner on the petitioner furnishing bank guarantee for Rs.16,70,000/- before the District Collector, Nizamabad.”

Learned Counsel for the revision petitioner submitted that the petitioner has suffered huge financial loss as the entire stock of rice was seized for more than four months. He further submitted that the petitioner is not in a position to produce bank guarantee for Rs.16,70,000/- for release of the seized stock, as ordered by the learned Sessions Judge, as it is onerous and impracticable, and therefore, the impugned order needs to be modified.

Heard the learned Public Prosecutor appearing on behalf of the

respondent-State.

Having heard the learned Counsel appearing on either side and upon perusing the entire material available on record, I deem it appropriate to modify the impugned order of the learned Sessions Judge dated 29.07.2015, as under:

“The entire seized stock of rice is ordered to be released in favour of the revision petitioner on his furnishing bank guarantee for the 50% of the value of the seized stock and for the remaining 50% he shall produce third party security before the District Collector, Nizamabad.”

With the above modification, the Criminal Revision Case is disposed of.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

12-08-2015

Gsn