

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.2853 of 2015

ORDER:

This revision is preferred challenging the judgment dated 03-09-2015 in E.C. Appeal No.129 of 2013 on the file of the Sessions Judge, Krishna Division, Machilipatnam, wherein and whereby the learned Sessions Judge dismissed the appeal filed by the petitioner, however, by reducing the penalty imposed, from the confiscation of 18 % of the seized stocks to that of 8 % of the seized stocks.

Admittedly, the variation is only in respect of Green Gram Dhall and the variation is shortage of Qtls.106.20 Kgs., which is little more than permissible limit.

Having heard the learned counsel for the petitioner and the learned Public Prosecutor and after perusing the material available on record, this Court is of the considered view that the confiscation of 4% of the seized stocks would be appropriate.

Accordingly, the Criminal Revision Case is disposed of modifying the order of penalty from 8 % confiscation of stocks to that of 4 % confiscation of stocks.

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

RAJA ELANGO, J.

24th November, 2015

skmr