

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2126 OF 2015

ORDER:

The petitioner-owner of the stock preferred the present Criminal Revision Case by invoking the provision under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order dated 16.9.2015 passed in C.F.R.No.3436 of 2015 in COR No.414 of 2015-16 by the Judicial First Class Magistrate, Jagtial.

Heard and perused the material available on record.

When the petitioner approached the Court below with the impugned application seeking release of 3472 kgs of black jaggery, 454 kgs of alum and 2 big and 2 small weighing machines 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 they are kept idle in the premises of Prohibition & Excise station.

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

Considering these circumstances, interim custody of 3472 kgs of black jaggery, 454 kgs of alum and two big and two small weighing machines 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.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the Judicial First Class Magistrate, Jagtial.

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

JUSTICE RAJA ELANGO

Dated: 8.10.2015

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