

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1104 OF 2015

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ORDER:

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The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 14.05.2015 passed in Criminal Appeal No.34 of 2015 by the Sessions Judge, Nizamabad, whereby the learned lower appellate Judge partly allowed the appeal by modifying the order in Case No.CS6/32/2015, dated 03.03.2015, confiscating 50% of the seized stocks to the government.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that there are no transport restrictions in movement of rice within the State. He further submits that in any event, the confiscation of 50% of the seized rice is excessive in nature and as such, prays for reduction of percentage of confiscation of seized rice.

Considering the facts and circumstances of the case, this Court directs the confiscating authority to confiscate 20% of the value of the stocks seized from the petitioner. It is made clear that if the said seized stocks were already sold by the competent authority, 80% of the value of the seized stocks shall be paid to the petitioner.

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

JUSTICE RAJA ELANGO

01.07.2015

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