

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL REVISION CASE No.1972 OF 2015**

**ORDER:**

The petitioner filed 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 15.04.2015, passed in Cr.No.124/2015/PE/B4, by the 2<sup>nd</sup> respondent - Deputy Commissioner of Prohibition & Excise, Warangal Division.

Heard and perused the material available on record.

When the petitioner approached the Dy.Commissioner of Prohibition & Excise, with an application seeking release of seized property in the above crime i.e., 1,500 kgs., of black jaggery and 50 kgs., of alum, the said authority, while ordering release of the said stock vide impugned order, directed the petitioner to furnish FDR/Bank guarantee for Rs.30,250/- (value of the stock) from any Nationalized Bank situated in Andhra Pradesh.

Learned Counsel for the petitioner submitted that the petitioner purchased the said stock under valid bills and there is no law prohibition sale, purchase and transport of black jaggery and the stock was already seized and that the value of the seized stock will be diminished if it is kept idle in the premises of Prohibition & Excise station and that the petitioner is unable to produce FDR/Bank guarantee, and therefore, he requested to direct the authority concerned to release the stock by accepting third party surety instead of FDR/Bank guarantee.

Considering the facts and circumstances of the case, the Criminal Revision Case can be disposed of with the following directions:

- i. The petitioner is directed to execute a personal

bond for a sum of Rs.30,250/- in favour of the 2<sup>nd</sup> respondent - Deputy Commissioner of Prohibition & Excise, Warangal Division instead of FDR/Bank guarantee for release of the stock of 1,500 kgs., of black jaggery and 50 kgs., of alum seized in the above referred crime, for his interim custody.

- ii. The 2<sup>nd</sup> respondent is directed to accept the personal bond executed by the petitioner and release the stock seized in the above said crime.

With the above directions, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

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**RAJA ELANGO, J**

**October 06, 2015.**  
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**HONOURABLE SRI JUSTICE RAJA ELANGO**

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**CRIMINAL REVISION CASE No.1886 OF 2015**

**DATED: 4.9.2015**

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