

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1774 OF 2015

ORDER:

This Criminal Revision Case is filed against the order, dated 20.07.2015, passed in Crl..M.P. No.1732 of 2015 in Crime No.114 of 2015, by the Judicial Magistrate of First Class, Thorrur.

The brief facts of the case are that during the course of route watch, the Police, Maripeda, conducted raid in the shop of the petitioner and seized 35 bags of jaggery, each containing 50 kgs., and 34 bags of alum, each containing 50 kgs., and registered a case in Crime No.114 of 2015 for the offence under Section 34(e) of A.P. Excise Act and Section 5 of GUR (Jaggery) Regulation of Use Order. The petitioner filed an application before the Judicial Magistrate of First Class, Thorrur, for release of the seized stock, stating that he is the owner of the said stock. The learned Magistrate dismissed the said application on the ground of jurisdiction. Hence, this revision.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner is running a Kirana Shop in the name and style of "Kiranam & Jaggery" and he purchased the same from the wholesalers under valid bills. He further submitted that since the property is perishable in nature, it would get damaged if it is not used, and the petitioner is ready and willing to furnish sufficient surety for release of the stock.

Learned Public Prosecutor also submitted that interim custody of the stock can be granted to the petitioner by imposing certain conditions.

Considering these circumstances, the respondent is directed to release the stock i.e. black jaggery and alum seized in Crime No.114

of 2015 of Maripeda Police Station, Warangal District, to the petitioner for interim custody, subject to the final orders being passed in the main case, on petitioner executing a personal bond for Rs.50,000/- (Rupees fifty thousand only). This order will not stand in the way of the respondent to proceed with confiscation proceedings. If already confiscation orders are passed, the order need not be given effect to.

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

RAJA ELANGO, J

August 28, 2015.
KTL