

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.903 OF 2015

ORDER:

This Criminal Revision Case is filed against order, dated 03.06.2015, passed in CrI.M.P. No.331 of 2015 in Crime No.87 of 2015 of P.S.Kalloor, by the Judicial Magistrate of First Class, Sathupalli.

The brief facts of the case are that on 05.05.2015 at 12.30 hours, the Sub-Inspector of Police, along with his staff, conducted vehicle checking and found one lorry, bearing AP 20 TA 8545, transporting black jaggery and alum illegally and on interrogation, the driver confessed that he is the driver of the lorry and the petitioner engaged the lorry for illegal transportation of black jaggery and alum worth Rs.4,00,000/- to use in making of ID liquor. After registering the crime, the police seized the property. The petitioner herein, who claims to be owner of the property, filed an application before the Court below for release of the property. The trial Court dismissed the said application through the impugned order. Aggrieved over the same, this revision is filed by the petitioner.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petitioner is the owner of the property, and he is a licence holder in doing business in black jaggery and alum and since the property is perishable in nature, it would be damaged if it is not used and the petitioner is ready and willing to furnish security and therefore, he prayed for release of the property.

Learned Additional Public Prosecutor also submitted that the case property can be released to the petitioner by imposing certain conditions.

Though there is bar for grant of the relief sought for by the

petitioner, this Court is of the view that the case property can be released to the petitioner as it is perishable in nature.

Hence, it is directed that the case property i.e. black jaggery and alum, shall be released to the petitioner, subject to final orders to be passed at the time of disposal of main case, on his executing a personal bond for Rs.4,00,000/- (Rupees four lakhs only) with one surety for the like sum.

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

RAJA ELANGO, J

June 11, 2015.
KTL