

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.2132 of 2015

-

ORDER :

-

The petitioner preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the order dated 15-09-2015 passed in Crl.M.P.No.5545 of 2015 in C.O.R. No.859 of 2015-16 by the learned Special Judicial First Class Magistrate (Prohibition and Excise Cases) at Khammam.

2. Heard and perused.

3. When the petitioner approached the trial Court with the impugned application under Section 457 Cr.P.C. seeking release of stocks seized in COR No.859 of 2015-16, the learned Magistrate vide impugned order dismissed the same.

4. Learned counsel for the petitioner submitted that the value of the seized stocks will be diminished if they are kept idle in the premises of Police Station.

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

6. Considering the facts and circumstances, the seized 2500 Kgs. of black jaggery and 500 Kgs. of alum in the above referred crime shall be entrusted to the interim custody of the petitioner on petitioner's execution of a personal bond for Rs.55,000/- (Rupees fifty five thousand only) with one surety for the like sum to the satisfaction of the trial Court.

7. Accordingly, the Criminal Revision Case is allowed.

8. Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

30th September, 2015

skmr