

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.205 OF 2014

ORDER:

The petitioner has filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure, 1973 being aggrieved by the judgment, dated 16.08.2013, in CrI.Appeal No.73 of 2013 passed by the Principal Sessions Judge, Kurnool.

Heard and perused the material available on record.

The petitioner is a Rice Miller. The District Collector, Kurnool, has passed an order, imposing a fine of Rs.2,36,400/-, being 10% of the seized stock, vide proceedings, dated 27.08.2012, for release of the seized stock, on the ground that the petitioner has contravened the provisions of the control orders. Against the said order, the petitioner has preferred Criminal Appeal No.73 of 2013 before the Principal Sessions Judge, Kurnool. After considering the material available on record, the learned Sessions Judge, by the aforesaid order, dated 16.08.2013, modified the order passed by the District Collector by reducing the amount of fine from Rs.2,36,400/- to Rs.1,77,300/-, being 7.5% of the seized stock. Aggrieved by the said order, the present revision is filed.

After hearing the arguments of the learned counsel for both sides and after perusing the material available on record, without going into the merits of the case, this Court is of the view that the judgment of the learned Sessions Judge can be modified to the extent of the amount of fine directed to be paid by the petitioner.

Accordingly, the Criminal Revision Case is disposed of modifying the judgment, dated 16.08.2013, passed by the learned Principal Sessions Judge in CrI.A. No.73 of 2013 and amount of fine imposed is reduced from Rs.1,77,300/- to Rs.77,000/-. The petitioner is directed to pay a fine of Rs.77,000/- (Rupees Seventy Seven thousand only) for release of the seized stock.

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

RAJA ELANGO, J

November 07, 2015

KTL

