

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.2507 of 2015

ORDER

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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 returned endorsement dated 17-10-2015 passed in C.F.R.No.2264 of 2015 in Cr.No.694 of 2015-16 by the learned Judicial First Class Magistrate at Husnabad.

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 7800 Kgs of black jaggery and 3000 Kgs of alum seized in Cr.No.694 of 2015-16, the learned Magistrate vide impugned order returned the same on the ground that the property mentioned in the petition is not deposited in the court.

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 the Excise 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 7800 Kgs of black jaggery and 3000 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.1,00,000/- (Rupees One Lakh 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

29th October, 2015
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