

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2016

CORAM

THE HONOURABLE MR. JUSTICE G.CHOCKALINGAM

Crl.R.C.No.291 of 2016
and
Crl.M.P.No.1972 of 2016

State represented by

1.The Inspector of Police,
Civil Supplies C.I.D.,
Cuddalore Wing,
Cuddalore.
Crime No.328 of 2013

2.The District Revenue Officer,
Villupuram. ... Petitioners/Appellants

vs

Manikandan
S/o.Ranganathan ... Respondent/Respondent

Criminal Revision filed under section 397 r/w 401 of the Code of Criminal Procedure, against the judgment of learned Principal Sessions Judge, Viullupuram, passed in Crl.A.No.41 of 2014 (Common Judgment passed in Crl.A.No.41 of 2014 and Crl.A.No.16 of 2014) on 21.01.2015 in Na.Ka.K5/31/ 454/13 DRO, Villupuram.

For Petitioners:Ms.M.F.Shabana
Government Advocate [Crl.side]

O R D E R

This revision arises against the judgment of learned Principal Sessions Judge, Viullupuram, passed in Crl.A.No.41 of 2014 on 21.01.2015.

2. Respondent has preferred Crl.A.No.41 of 2014 u/s.6-C of Essential Commodities Act, 1955, challenging the order of the second petitioner viz., the District Revenue Officer, Villupuram, confiscating 12000 litres of diesel

belonging to the respondent vide proceedings in Na.Ka.K5/31/454/2013 dated 24.03.2014. The Court below, under orders dated 21.01.2015, allowed such appeal. There against, State has preferred the present revision.

3. Heard learned Government Advocate [Crl.side].

4. On a perusal of the judgment under challenge, this Court finds that amidst other reasons, the Court below rightly has observed that confiscation and seizure has been effected by the Inspector of Police, who has no power under Rule 7 of the Motor Spirit High Speed Diesel (regulation of supply, distribution and prevention of malpractices order 2005) to do so. This Court finds no error in the judgment under challenge.

5.This Criminal Revision shall stand dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

The Principal Sessions Judge,
Villupuram.

+2cc to Mr.A.Shabana, Advocate Sr.50448

Crl.R.C.No.291 of 2016

sr[co]
srg 29/09/2016

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