

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRI.R.C.No.1359 OF 2016

ORDER:

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This Criminal Revision Case is preferred challenging the judgment, dated 20.4.2016, in E.C.Appeal No.36 of 2014 on the file of the Sessions Judge, Krishna, Machilipatnam, whereunder and whereby, the learned Sessions Judge dismissed the appeal filed by the petitioner against the order, dated 4.3.2014, in E.C.P.No.265 of 2013 passed by the District Collector, Krishna, Machilipatnam.

2. Learned counsel for the petitioner submits that the Courts below failed to consider as to whether the seized stock is essential commodity or not and whether there is any control order passed under Section 3 of the Essential Commodities Act; that the Courts below failed to consider that mere possession of PDS rice is not a contravention of Clause 17(A) of the A.P.State Public Distribution (Control) Order, 2008; that the value of the stock ordered for confiscation to the state was reduced to 10% from 25% and the same is erroneous and contrary to law; that there is no power to seize the vehicle and the seizure is illegal and thus, the vehicle shall not be confiscated.

3. Heard and perused the entire material available on record.

4. The value of the stock ordered for confiscation to the State was reduced to 10% from 25% by the learned Sessions Judge in the E.C.Appeal. Considering all the facts and circumstances of the case, the learned Sessions Judge rightly passed the impugned judgment and that judgment needs no interference of this Court and hence, this revision is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed confirming

the judgment, dated 20.4.2016, in E.C. Appeal No.36 of 2014 on the file of the Sessions Judge, Krishna, Machilipatnam.

6. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

7.6.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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