

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL REVISION CASE NO.3072 OF 2016

ORDER:

This revision case is filed by the petitioner under Sections 397 and 401 of the Code of Criminal Procedure challenging the notice dated 22.11.2016 in CrI.No.563/2016/PE/B4 issued by the Deputy Commissioner of Prohibition and Excise, Warangal.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. A perusal of the record reveals that the Excise officials seized 11,700 kgs black jaggery worth Rs.2,34,000/- from the possession of the petitioner. The petitioner filed a petition before the Deputy Commissioner, Prohibition and Excise for release of black jaggery. The Deputy Commissioner, Prohibition and Excise passed the following order.

“Therefore, he is directed to furnish the FDR/Bank Guarantee for Rs.2,34,000/- (Rupees two lakh thirty four thousand only) from any Nationalized Bank situated in Telangana State in favour of the Dy. Commissioner of Proh. & Excise, Warangal Division, apart from an undertaking for release of the said property i.e., (11,700) Kgs of black jaggery for interim custody within (07) days.”

4. The only grievance of the petitioner is that the conditions imposed by the Deputy Commissioner of Prohibition and Excise are onerous. Taking into consideration the facts and circumstances of the case and as the seized stock is only black jaggery, the Deputy Commissioner of Prohibition and Excise is hereby directed to release 11,700 Kgs of black jaggery to the petitioner on furnishing a bank guarantee for Rs.1,17,000/- (Rupees one lakh seventeen thousand only).

5. With the above direction, the Criminal Revision Case is disposed of.
Miscellaneous petitions, if any pending in this criminal revision case, shall stand closed.

(T.SUNIL CHOWDARY, J)

2nd December 2016
RRB

