

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5004 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.O.R. No.174 of 2016 on the file of Narsampet Prohibition and Excise Station, Warangal District, registered for the offence punishable under Section 34(e) of the A.P. Excise Act.

Heard and perused the material available on record.

The petitioner was found selling jaggery illegally and without any valid licence. The learned Counsel for the petitioner submitted that the jaggery and alum are not prohibited items and that the petitioner is purchasing the same under valid bills and he is doing business under valid licence.

The grounds raised by the petitioner are the questions to be decided by the trial Court after fullfledged trial. Therefore, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioner prayed for release of the stock seized in the above crime.

Considering the facts and circumstances of the case, the Station House Officer concerned is directed to release the jaggery and alum i.e., 396 kgs of jaggery and 12000 kgs of alum seized in the above crime to the petitioner on condition of his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with one surety for the like sum to the satisfaction of the Judicial First Class Magistrate, Narsampet. However, this order does not preclude the authorities concerned from proceeding with the confiscation proceedings, if any.

Accordingly, the Criminal Petition is disposed of. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 12.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 12.4.2016

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