

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1628 OF 2016

ORDER:

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This Criminal Revision Case is preferred challenging the judgment, dated 8.3.2016, in Criminal Appeal No.6 of 2015 on the file of the Sessions Judge, Vizianagaram whereunder and whereby, the learned Sessions Judge dismissed the appeal filed by the petitioner against the order, dated 20.12.2014, in C.C.No.22/2014 on the file of the Collector and District Magistrate, Vizianagaram.

2. *Vide* order, dated 20.12.2014, the Collector and District Magistrate, Vizianagaram ordered for confiscation of 30% value of the seized stock to Government exchequer and also release remaining sale proceeds to the petitioner herein. Aggrieved by the order passed by the Collector, the petitioner preferred Crl.A.No.6 of 2015 before the Sessions Judge, Vizianagaram. The learned Sessions Judge dismissed the appeal by confirming the order, dated 20.12.2014, of the Collector and District Magistrate, Vizianagaram. Challenging the same, the petitioner preferred the present revision.

3. Learned counsel for the petitioner submits that the petitioner is maintaining the records as per the conditions of the license issued to him and he is encouraging the policies of the Government and doing business in conformity with the guidelines as well as the directions issued by the Government from time to time; that in view of the performance of marriage to the daughter of the petitioner, the petitioner could not enter some entries in the registers and that ordering of confiscation of 30% of the seized stock is illegal and unjust.

4. After perusing the entire material available on record and after hearing the submissions made by the learned counsel for the petitioner, this Court is of the view that the confiscation ordered by the

District Collector, as confirmed by the learned Sessions Judge, can be reduced.

5. Accordingly, the Criminal Revision Case is disposed of modifying the order, dated 20.12.2014, in C.C.No.22/2014 on the file of the District Collector, Vizianagaram, as confirmed in the judgment, dated 8.3.2016, in Criminal Appeal No.6 of 2015 by the learned Sessions Judge, by reducing the confiscation from 30% to 15%.

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

JUSTICE RAJA ELANGO

27.6.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRI.R.C.No.1628 OF 2016

Date:27.6.2016

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