

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.3239 of 2015

ORDER

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Petitioners preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the order dated 17-12-2015 passed in Crl.M.P.SR.No.6203 of 2015 in Cr.No.807 of 2015-16 by the Judicial First Class Magistrate, Thorrur, Warangal District.

2. Heard and perused.

3. When the petitioner approached the trial Court with the impugned application under Section 457 Cr.P.C. seeking release of 3306 kgs of jaggery and 160 kgs of alum seized in COR No.807/2015-16, the learned Magistrate vide impugned order returned the same for want of jurisdiction.

4. Learned counsel for petitioners submitted that the value of the seized stocks will be diminished if they are kept idle in the premises of the Excise Station.

5. Admittedly, black jaggery and alum seized from the possession of the petitioner in the above referred crime are not prohibited articles under any law and their possession is also not barred by the provisions of any Statute.

6. Considering the facts and circumstances, the seized 3306 kgs of jaggery and 160 kgs of alum in the above referred crime shall be entrusted to the interim custody of the petitioner on petitioner's execution of a personal bond for Rs.35,000/- (Rupees Thirty Five Thousand only) with one surety for the like

sum to the satisfaction of the trial Court.

7. Accordingly, the Criminal Revision Case is allowed.

8. Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

06th January, 2016

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