

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6034 OF 2016

ORDER:

The petitioner-owner of the stock preferred the present Criminal Petition seeking a direction to the S.H.O., Warangal Prohibition & Excise, Warangal District to release the stock i.e. 100 boxes each containing 20 kgs, total 2000 kgs., worth Rs.20,000/- seized in connection with C.O.R.No.45 of 2016.

Heard and perused the material available on record.

Learned Counsel for the petitioner submitted that the petitioner is engaged in the business of purchase and sale of jaggery under a valid certificate of registration and that he never indulged in any sort of clandestine business. He further submits that the white jaggery is purely used for human consumption and that the sale, purchase and transportation of said jaggery is not prohibited under law. Therefore, he seeks a direction for release of the said stock since the value of the seized stock will be diminished if it is kept idle in the premises of Prohibition & Excise station.

Admittedly, white jaggery seized in above referred crime is not prohibited article under any law and its possession is also not barred by provisions of any Statute.

Considering these circumstances, interim custody of 100 boxes

each containing 20 kgs, total 2000 kgs., of white jaggery seized in above referred crime shall be given to the interim custody of the petitioner on condition of his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the satisfaction of the Special Judicial First Class Magistrate (Prohibition & Excise) Cases at Warangal.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions filed in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

22nd April, 2016

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