

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.5390 of 2016

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ORDER

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This petition under Section 482 r/w.451 Cr.P.C. is filed by the petitioner seeking to direct the Station House Officer, Jangaon Prohibition and Excise Station, Warangal District, to release the stocks i.e., 12000 Kgs of jaggery containing 20 Kgs each in 600 boxes worth Rs.3 lakhs seized in C.O.R.No.174 of 2016 of Jangaon Prohibition and Excise Station, Warangal District.

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

3. The case of the prosecution is that on 07.04.2016, on reliable information, the Prohibition and Excise Officials conducted vehicle check and intercepted a lorry bearing No.UP-17-T-6747, found transporting white jaggery containing 20 Kgs each in 600 boxes, total 12000 Kgs, worth Rs.3 lakhs, which is used for manufacturing illicit liquor and after enquiry, they seized the said stock.

4. Learned counsel for the petitioner submitted that the petitioner is engaged in the business of purchase and sale of white jaggery and that the value of the seized stock will be diminished if they are kept idle in the premises of Police Station.

5. Admittedly, the aforesaid stocks 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 these circumstances, the entire seized stock in the above referred crime shall be released to the petitioner for interim custody on his executing a personal bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) to the satisfaction of the trial Court.

7. The Criminal Petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this petition shall stand closed.

JUSTICE RAJA ELANGO

19th April, 2016

sj