THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9869 of 2016

ORDER:

The petitioner assails the action of the Station House Officer, Amangal P.S., Mahaboobnagar District in not releasing the property i.e., 75 bags of black jaggery each bag contains 25 kgs seized in Cr.No.140 of 2016 for interim custody. The petitioner/A3 and 3 others are allegedly committed the offences punishable under section 3 (b) r/w. 4 GUR, 34(e) of A.P.Excise Act, 1968.

Heard both sides and perused the record.

The petitioner/A3 is a businessman. He proposes to sell the jaggery. It is not the case of the prosecution that the jaggery is adulterated jaggery. I, therefore, deem it appropriate to order the interim custody of seized jaggery, which is perishable in nature.

Accordingly, this Criminal petition is disposed of. Subject to the final orders being passed in the main case, without effecting the right of forfeiture available to the Department, the petitioner/A3 is granted interim custody of the seized jaggery by the concerned officials on his furnishing Bank Guarantee for a sum of Rs.10,000/- (Rupees ten thousand only) and on furnishing proof of ownership of the seized property.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 11.07.2015
Dsr