

**THE HON'BLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL REVISION CASE No.1517 of 2016**

**ORDER:**

The petitioner filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order, dated 30.05.2016 passed in CrI.M.P.No.890 of 2016 in Crime No.33 of 2016 by the Additional Judicial Magistrate of First Class, Mahabubabad.

Heard and perused the material available on record.

When petitioner approached the Court below with impugned application under Section 457 Cr.P.C. seeking release of seized property in the above crime i.e., 40 quintals of black jaggery in 80 bags (each bag containing 50 kgs) worth Rs.1,50,000/- and 10 kgs of Alum, the learned Magistrate vide impugned order returned the same.

Learned Counsel for the petitioner submitted that the Court below has jurisdiction to entertain the above CrI.M.P. and direct the authorities concerned to release the property and that the value of the seized property will be diminished if it is kept idle in the premises of Prohibition & Excise station.

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

Considering these circumstances, interim custody of 80 bags of black jaggery and 10 kgs of Alum seized in the above referred crime shall be entrusted to the interim custody of the petitioner on furnishing of a bank guarantee for a sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) to the satisfaction of the Additional Judicial Magistrate of First Class at Mahabubabad.

Accordingly, the Criminal Revision Case is disposed of.  
Consequently, miscellaneous petitions filed in this revision, if any,  
shall stand closed.

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**RAJA ELANGO, J**

Date: 16<sup>th</sup> June, 2016.

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