

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1341 OF 2016

ORDER:

This revision is preferred by the petitioner challenging the docket order, dated 17.5.2016, in CrI.M.P.(SR)No.536 of 2016 in Crime No.195 of 2016 on the file of the Additional Judicial First Class Magistrate for Excise Cases at Warangal.

2. Heard and perused the material available on record.
3. The petitioner was found selling black jaggery illegally and without any valid licence. The Prohibition and Excise Police, Hanamkonda seized 9,820 kgs. of black jaggery and on the basis of the seizure panchanama, the aforementioned crime was registered for the offences punishable under Section 7(a) read with 8(e) of the A.P.Prohibition Act, 1995 and 34(e) of the A.P. Excise Act, 1968 and violation of Rule 5 of the GUR (Regulation of Use) Order, 1968. The petitioner filed CrI.M.P.(SR)No.536 of 2016 before the trial Court for interim custody of the stock in question and the same was returned by the learned Magistrate on the ground of jurisdiction. Hence, the petitioner filed the present revision case.
4. Learned counsel for the petitioner submitted that black jaggery is not a prohibited item and that the petitioner is purchasing the same under valid bills and he is doing business under valid licence.
5. The grounds raised by the petitioner are the questions to be decided by the trial Court after full fledged trial. Therefore, this Court is not inclined to interfere with the proceedings in the above crime.
6. At this stage, the learned counsel for the petitioner prayed for release of the stock seized in the above crime.

8. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

7.6.2016
AMD

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