

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

CRIMINAL PETITION No.9757 of 2016

ORDER

The petitioner assails the action of the Station House Officer, Prohibition and Excise Station, Luxettipeta, Adilabad District, in not releasing the property i.e., 125 bags of black jaggery each bag containing 19 Kgs., and 3 bags of alum each bag containing 35 Kgs., all are worth about Rs.50,000/- seized in C.R No.78/2016 for interim custody. The petitioner alleged to have committed the offence punishable under Section 34 (e) of the Andhra Pradesh Excise Act, 1968.

2. Heard both sides and perused the record.

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

4. Accordingly, the Criminal Petition is disposed of. Subject to final orders, being passed in the main case, the petitioner/accused is granted interim custody of the seized jaggery and alum by the concerned officials on his executing a personal bond of Rs.40,000/- (Rupees Forty Thousand only) and on furnishing proof of ownership of the seized property.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL,J

Date: 08.07.2016

YVL

