

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

Criminal Revision Case No.31 of 2017

JUDGMENT:

This Criminal Revision Case is filed by the petitioner under Sections 397 and 401 Cr.P.C., challenging the order dated 20.12.2016 passed in Cr.No.549/ 2016/ PE/ B2 on the file of the Deputy Commissioner of Prohibition & Excise, Warangal Division.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents (TS).

3. A perusal of the record reveals that the excise officials seized 20,000 kgs of jaggery, worth of Rs.4,50,000/- from the petitioner. The petitioner filed a petition before the Deputy Commissioner of Prohibition & Excise, for release of the jaggery. The Deputy Commissioner of Prohibition & Excise, passed the following order:

“.....Therefore, Sri B. Sikanth is directed to furnish the FDR for Rs.4,50,000/- (Rupees four lakhs fifty thousand only) instead of 3rd party surety from any Nationalised Bank situated in Telangana State in favor of the Dy. Commissioner of Proh. & Excise, Warangal Division, apart from an undertaking for release of the said property within (7) days for taking further action in this case.”

4. The only grievance of the petitioner is that the condition imposed by the Deputy Commissioner of Prohibition & Excise is onerous one, as the seized stock is only jaggery.

5. Having regard to the facts and circumstances of the case, the Deputy Commissioner of Prohibition & Excise, Warangal Division is hereby directed to release the seized property i.e., 20,000 kgs of jaggery to the petitioner on furnishing a bank guarantee for a sum of Rs.2,25,000/- (Rupees two lakh, twenty five thousand only).

6. The criminal revision case is accordingly disposed of.
Miscellaneous petitions, if any pending, in this revision shall stand closed.

Dated: 05.01.2017
BSS

T.SUNIL CHOWDARY, J



HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

11

Criminal Revision Case No.31 of 2017



Date: 05.01.2017

BSS