

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.9652 of 2017

ORDER:

The petitioner states that he is engaged in the business of purchase and sale of jaggery and kirana items in the name and style of M/s.Vigneshwara Kirana Jaggery and General Merchant at premises bearing D.No.602, Main road, Regonda Village and Mandal in Warangal District. He further states that during the course of his business, he purchased 1500 kgs of white jaggery from Sri Vinayaka Jaggery, Alum and General Merchant, Siddipet, under valid bill dated 11.01.2017 and transported the same to his shop. While so, the third respondent inspected his shop on 12.01.2017 and seized the same. He also registered a case in Crime No.8 of 2017, wherein the petitioner was shown as the accused. He states that the sale, purchase and transportation of white jaggery is not prohibited and not regulated under any law and it is meant for human consumption. It does not constitute an offence under the Andhra Pradesh Prohibition Act. Though the petitioner approached the third respondent and sought release of the stock by expressing his readiness to furnish third party surety, when the third respondent did not release the same, he filed the present Writ Petition. He also stated that the concerned Magistrate is also returning the petitions under Section 451 Cr.P.C on the ground of jurisdiction.

In view of the above, this Writ Petition is disposed of giving liberty to the petitioner to approach the concerned authority for release of the jaggery, which was seized pursuant to registration of FIR No.8 of 2017 and as and when the petitioner approaches, the same shall be considered in accordance with law. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

20.03.2017
vs

(A.RAMALINGESWARA RAO, J)

