

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.301 OF 2017

ORDER:

The revision petitioner is respondent to the proceedings before the Collector & District Magistrate, East Godavari District in Ref.No.V12/ 67/ 2014 dated 01.12.2015 under Section 6-A of Essential Commodities Act, ordering confiscation of 5%of the total seized stock worth about Rs.2,23,95,242/- went unsuccessful even before the lower Appellate Court i.e., Court of Sessions, East Godavari District at Rajamahendravaram in CrI.A. No.659 of 2015 vide judgment dated 07.12.2016 maintained the revision.

2) Heard learned counsel for the revision petitioner and also the public prosecutor representing respondent-State and perused the material on record.

3) There is a clandestine dealing from the variation in unaccounting of the ground stock beyond the permissible limit not only in paddy but also rice and raw broken and also non-maintenance of accounts and also failure to submit returns, which are statutory violations under the A.P Scheduled Commodities Dealers (Licensing, Storage and Regulation) Order, 2008 and Control order, 2008, A.P. Rice Procurement (Levy) Order, 1984 as rightly concluded by the Courts below. Thereby to that extent of the finding, it no way requires interference but for to reduce the confiscation from 5%to 4%of the total seized stock or its value.

4) Accordingly, the revision is disposed of before admission, reducing the confiscation from 5%to 4%of the total seized stock or its value.

5) As a sequel, miscellaneous petitions if any pending shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.08.02.2017
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