

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 4066 of 2019

ORDER :

1. The present Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.242 of 2018 dated 05.02.2018 on the file of the Judicial First Class Magistrate, Adilabad.

2. The case of the petitioners is that the petitioners are all farmers and are in cultivation of cotton and Bengal gram in their own lands. On the complaint lodged by the Secretary of Agriculture Market Committee, Adilabad, the goods of the petitioners consisting of 196 bags of Red gram was seized by the police on the ground that the crop is sought to be sold without paying market fee etc. A case was registered against one Allam Sagar and charge sheet is filed before the Judicial First Class Magistrate, Adilabad, which was taken cognizance as C.C.No.242 of 2018. The petitioners, who are the owners of the seized stock, filed an application before the trial Court for return of the same, but the trial Court returned the said petition by raising certain objections. Hence, the petitioners filed the present Criminal Petition.

3. Though the Criminal Petition is filed to quash the proceedings in C.C.No.242 of 2018, but the learned counsel for the petitioners restricts his prayer to release the seized stock on furnishing surety.

4. Learned Additional Public Prosecutor opposed the application.

5. Admittedly, the petitioners are owners of the seized goods and if the goods are kept in godown without any proper care, the same will be perished. Hence, I am inclined to release the goods on certain terms and conditions.

6. Accordingly, the Criminal Petition is disposed of and the learned Judicial First Class Magistrate, Adilabad, is directed to release 192 bags of Red Gram to the petitioners subject to the condition of petitioners executing personal bond for Rs.5,50,000/- with one surety for a like sum to the satisfaction of Judicial First Class Magistrate, Adilabad.

7. Miscellaneous petitions, if any, shall stand closed.

16.10.2019
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JUSTICE G. SRI DEVI

