

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 3995 OF 2022

Between:

Shaik Sathik, S/o. Afzal, Aged about 29 years, Occ: Driver, H.No.1-50,Vemnoor,
Mahabubabad Mandal and District, Old Warangal District-506101, Tealangana
State.

...PETITIONER/OWNER OF THE STOCK

AND

1. The State of Telangana and 2 others, Represented by its Public Prosecutor,
High Court for State of Telangana at Hyderabad.
2. The Deputy Commissioner of Prohibition and Excise, Warangal, Warangal
District.

...RESPONDENTS/RESPONDENTS

3. The Station House Officer, Mahabubabad (R), Mahabubabad District

...RESPONDENT/DEFACTO-COMPLAINANTS

Petition under Section 437/438/439/482 of Cr.P.C praying that in the
circumstances stated in the Memorandum of Grounds of Criminal Petition, the
High Court may be pleased to directing the 2nd Respondent forth with to release
the Petitioner Stock 25 quintals of black jaggery i.e. 2500 Kgs of black jaggery
and 30 kgs Alum total worth of stock value is 75,000 in FIR No. 149 of 2021,
dated, 06-10-2021, on the file of the Mahabubabad (R) police station,
Mahabubabad District in spite of readiness to furnish the third party surety value
of stock i.e. Rs.75,000/-before the 2nd Respondent.

I.A. NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to dispense with certified copy of F.I.R.in Crime No.149 of 2021

dated 06.10.2021 on the file of POLICE STATION MAHABUBABAD (RURAL)
before this Hon'ble Court.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri B BALAJI
, Advocate for the Petitioner and of the Additional Public Prosecutor on behalf of
the Respondents.

The Court made the following : ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.3995 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to direct respondent No.2 to release black jaggery total 2500 Kgs (25 quintals) and 3 quintal of Alum seized in Crime No.149 of 2021 pending on the file of Mahabubabad Rural Police Station on 06-10-2021, inspite of readiness to furnish the third party surety value of stock before the 2nd respondent.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise, appearing for the respondents.

3. The case of the petitioner is that the 3rd respondent- Station House Officer, Mahabubabad Rural Police Station, Mahbubabad District seized 2500 kgs (25 quintals) and 3

quintal of Alum on the ground that he was transporting the said stock for illegal manufacture of I.D. liquor.

4. Having regard to the same, as enquiry is required to be conducted, the Deputy Commissioner of Prohibition and Excise - respondent No.2 shall release the seized stock of black jaggery of 2500 kgs (25 quintals), total value of Rs.62,500/-, on petitioner furnishing Fixed Deposit Receipt (FDR) for an amount of Rs.62,500/-(Rupees sixty two thousands and five hundred only) and the release shall be subject to the orders that shall be passed by the respondent authorities pursuant to the enquiry to be conducted under the provisions of the T.S. Excise Act.

5. This Criminal petition is accordingly disposed of. Miscellaneous petitions, if any, pending in this Petition, shall stand closed.

SD/-T.SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One Copy to the Station House Officer, Mahabubabad (R), Mahabubabad District.
2. One CC to SRI. B BALAJI, Advocate. [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad.[OUT]
4. Two CD Copies
5. One Spare Copy

SB

[Handwritten signature]

HIGH COURT

DATED:26/04/2022

ORDER

CRLP.No.3995 of 2022



DISPOSING OF THE CRIMINAL PETITION.

7
7/6/22
[Signature]