APHC010446072019

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 28/2020

Between:

1. CHALUVADHI NAGA VENKATA SUBRAHMANYA NARASIMHA RAO,, S/O. SATYANARAYANA, AGED ABOUT 40 YEARS, PROP N.V.S.N.TRADERS, GODUGPET, MACHILIPATNAM.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP., BY ITS PUBLIC PROSECUTOR, HIGH COURT OF A.P., AMARAVATHI.
2. THE GOVERNMENT OF ANDHRA PRADESH, REP. BY THE SPECIAL DEPUTY THASILDAR (PDS) MACHILIPATNAM, KRISHNA DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. K V ADITYA CHOWDARY

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR (AP)
2. GP FOR CIVIL SUPPLIES

The Court made the following:
ORDER:

The Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.'), challenging the

judgment dated 05.12.2019 passed in E.C.A.No.36 of 2019 by the learned Sessions Judge, Krishna Division, Machilipatnam, whereby the order dated 04.05.2019 passed by the learned District Collector, Krishna, Machilipatnam, in E.C.P.No.263 of 2018, was confirmed.

2. Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor.

3. Challenging the order confiscating 50% of the value of the seized stock to the Government, the Petitioner preferred an appeal before the learned Sessions Judge, but the same was dismissed. Challenging the dismissal of the appeal, the Petitioner has preferred the present Criminal Revision Case.

4. The allegation against the Petitioner is that the Petitioner purchased paddy from the commission agent instead of directly purchasing it from the farmers, thereby violating Clauses 9, 10 and 12 of G.O.Ms.No.20, dated 12.09.2018, as well as the Memorandum of Understanding entered into between the Department of Civil Supplies and the Petitioner. The Petitioner had also failed to maintain the online ‘B’ Register and submit the required returns. Further, the Petitioner purchased and stored 920 quintals of PDS rice in violation of Clause 22(1) of the A.P. State Targeted Public Distribution System (Control) Order, 2018.

5. The impugned order does not reflect any previous adverse antecedents against the Petitioner. The confiscation appears to have been ordered only on account of the violation of the terms and conditions of the Memorandum of

Understanding and the direct purchase of paddy from the commission agent instead of the farmers.

6. Having regard to the facts and circumstances of the case, this Court is of the view that ordering confiscation of 25% of the value of the seized stock would meet the ends of justice. Hence, the order dated 04.05.2019 passed by the learned District Collector, Krishna, at Machilipatnam, in E.C.P.No.263 of 2018, is modified by reducing the percentage of confiscation from 50% to 25%. The remaining 25% of the value of the seized stock shall be refunded to the Petitioner forthwith.

7. Accordingly, the Criminal Revision Case is disposed of. No order as to costs.

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

Dr.Y. LAKSHMANA RAO, J.

Date: 03.11.2026
KMS

131

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 28/2020

Date: 03.11.2026

KMS