

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.1204 OF 2015

ORDER:

After hearing both sides, at the admission stage, the following order is passed:

2. The Police of Prohibition and Excise Inspector and his staff during their checks on the night of 01.10.2013 found the TATA 407 Van bearing No.AP 31 TD 2149 carrying 500 kgs of Ganja in 25 gunny bags each bag containing 20 kgs in the secret cabin. The vehicle belongs to petitioner/A.5. A.1 was the driver of the vehicle. The police seized the material and booked the case.

3. Denying the charges, learned counsel for petitioner would submit that petitioner/A.5 is only owner of the vehicle and he does not know anything about the transportation of the material and there is no iota of material to sustain any charge against him and therefore, the present petition may be quashed.

4. As can be seen from the charge-sheet, a huge commodity of Ganja was found in the secret cabin of the vehicle and it is difficult to believe that such a secret cabin could be prepared and Ganja stored without the knowledge and connivance of the petitioner/A.5. Ofcourse it is tried to explain that such a secret cabin was prepared to carry their valuable articles secretly for fear of highway robberers and on

that ground alone the petitioner/A.5 may not be suspected. However, this aspect has to be decided only after a full-fledged trial. As the matter stands, having regard to the gravity of the charge, it is not a fit case to quash the proceedings.

5. Accordingly, this Criminal Petition is dismissed.

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

U. DURGA PRASAD RAO, J

Date: 27.02.2015
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