

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Crl.P.No.3467 of 2015

ORDER :

This application is filed under Section 482 Cr.P.C. to quash Crime No.27/2014-15 on the file of Prohibition and Excise Station, Kodangal, Mahabubnagar District, in which the petitioner is accused of having committed an offence under Sections 34(a) of the Andhra Pradesh Excise Act, 1968.

2. It is alleged by prosecution that the Prohibition and Excise Station, Kodangal, Mahaboobnagar District conducted a raid on a toddy depot situated at Masaipally Village, Kosgi Mandal, Mahaboobnagar District and found A.1 conducting business therein and the Excise Officials have drawn samples from the toddy being sold by him for purpose of analyses and also seized 3.8 kgs of *Alfrazolan* from the depot along with four Eicher DCM Vehicles under a Panchanama. It is further alleged by prosecution that A.1 had confessed that petitioner and another were running the toddy depot, on the basis of which the petitioner was added as an accused in the said crime.
3. A reading of the FIR shows that there is a specific allegation of the petitioners' involvement in the offence.
4. In this view of the matter, I am not inclined to quash the Crime No.27/2014-15 on the file of Prohibition and Excise Station, Kodangal, Mahabubnagar District. However, the Police are directed to follow the provisions of Section 41A of Cr.P.C. as regards the petitioner. The Criminal Petition is dismissed with the said observation.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 21-04-2015

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