

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.13003 OF 2016

ORDER:

This petition is filed by the petitioner-accused No.5 under Section 482 Cr.P.C. seeking to quash the proceedings against him in COR No.792 of 2013-2014 on the file of Prohibition and Excise Inspector, Aswaraopet, Khammam District, registered for the offence punishable under Sections 34(a) & 36(c) of the A.P. Excise Act.

Heard and perused the material available on record.

It is alleged that the Prohibition and Excise Officials of Aswaraopeta found the petitioner and others in illegal possession of 147 boxes of Brandy.

Learned Counsel for the petitioner submitted that the petitioner was falsely implicated in the above crime and the petitioner is no way concerned with the alleged stock.

Learned Additional Public Prosecutor opposed this petition.

Considering the facts and circumstances of the case and the nature of offence, this Court is not inclined to grant the relief sought by the petitioner. However, the 1st respondent-police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioner to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required for the purpose of investigation.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 2.9.2016

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DATED 2.9.2016

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