

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2106 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner-accused No.3 seeking to quash the proceedings in PR No.89 of 2016 on the file of Prohibition and Excise Station, Kothagudem, Khammam District, registered for the offences under Sections 7(A) r/w.8(e) of A.P. Prohibition Act and 34(e) of AP Excise Act.

Heard the learned counsel for the petitioner and the learned Public Prosecutor and perused the material available on record.

The allegation against the petitioner is that he is in illegal possession of illicit liquor, black jiggery and Navasaram.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him and only basing on the confession of the other accused, the petitioner was implicated in this case.

The truth or otherwise of the said allegations can be ascertained by the investigating agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioner. At this stage, learned counsel for the petitioner submitted that in view of the pendency of the above crime, the petitioner apprehend arrest and also the harassment in the hands of the police.

In view of the above, the police concerned are directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the Investigating Agency as and when his presence is required, and cooperate with the Investigating Agency.

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

RAJA ELANGO, J

February 19, 2016.
KTL