

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6264 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioner/A3 seeking to quash the docket order dated 24.03.2016 passed in C.C.No.377 of 2009 on the file of Special Judicial First Class Magistrate for Prohibition and Excise Offences, Kadapa, Kadapa District.

2. The material on record shows that after due trial, the petitioner/A3 was convicted along with the other accused for the offence punishable under Section 27(b)(ii) of Drugs and Cosmetics Act, 1945 and sentenced to undergo simple imprisonment for two years and also to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for a period of one month. Since the petitioner/A3 was absent on the date of pronouncement of judgment dated 24.03.2016 in C.C.No.377 of 2009, NBW was issued against him.

3. As against the judgment of conviction and sentence, the petitioner has an appropriate remedy of appeal and therefore, this criminal petition to quash the impugned order is not maintainable.

4. Hence, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this criminal petition shall stand dismissed. Registry is directed to return the material papers, if any, to the petitioner.

JUSTICE RAJA ELANGO

26th April, 2016

sj

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