

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6657 OF 2016

ORDER:

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This petition is filed by the petitioner-accused No.12 under Section 482 Cr.P.C. seeking to quash the proceedings against him in FIR No.42 of 2014 on the file of the CID, AP, Hyderabad (PR No.24/2014-15 of Kavali Excise Station, SPSR Nellore District), registered for the offence punishable under Sections 34(a) and 37(a) of the A.P. Excise Act.

Heard and perused the material available on record.

It is alleged that during the general elections held in April, 2014, the petitioner was found in possession of spurious liquor. It is alleged that the petitioner stored the liquor for the purpose of distributing the same in the general elections.

Learned Counsel for the petitioner submitted that nothing was recovered from the possession of the petitioner and that on the basis of the confession of co-accused, the petitioner was added as accused in the above crime.

Considering the facts and circumstances of the case and the nature of the 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 a notice to the petitioner to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioner is 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 : 28.4.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 28.4.2016

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