

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13026 of 2016

ORDER:

The petitioner, who is A.2 in crime No.75 of 2016 of Badvel Urban Police Station, YSR Kadapa District, preferred the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered for the offence punishable under Section 34-A of A.P. Excise Act, 1968.

The allegation against the petitioner is that he sent 47 liquor bottles to A.1 for selling the same at a restaurant. The said liquor bottles were containing serial numbers supplied by the Excise Department to the retail outlets. Since selling of liquor at restaurants without permission from the Excise Department is against the license issued to the petitioner, the present case came to be registered.

Heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

A perusal of the material on record shows that the liquor bottles, which were supplied to petitioner's wine shop, were sold outside. It may be true that the petitioner is not directly involved in selling the bottles, but the liquor bottles supplied to his wine shop were sold outside violating the conditions of license. Hence, this Court is not inclined to consider the request of the petitioner. However, the petitioner shall surrender before the concerned Court and move an application seeking regular bail after giving prior notice to the concerned Public Prosecutor, in which event the same

shall be considered either on the same day or at the earliest in accordance with law.

With above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

08.09.2016
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