

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7681 of 2017

ORDER:

Heard learned counsel for the petitioner/Accused in COR No.226 of 2017 of Station House Officer, Sangareddy, Prohibition & Excise, registered for the offence punishable under Section 3 (a) of A.P. Excise Act, 1968 and also learned public prosecutor representing the respondent—State and perused the grounds urged in the quash petition and the contents of the panchanama including seizure and destroying the toddy of 156 Ltrs.

2) Though several contentions raised by the learned counsel for the petitioner on false implication of the petitioner, it is pre-mature to express any opinion much less to interdict the investigation.

3) Having regard to the above, the Criminal Petition itself is disposed of without prejudice to avail all the defences available to the accused. However, in the event of any arrest, the police shall strictly follow Section 41-A Cr.P.C. and guidelines of the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹.

4) Pending miscellaneous petitions, if any, in this Criminal Petition shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 14.09.2017

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¹ 2014 (8) SCC 273