

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO. 14461 OF 2017

ORDER:

This Writ Petition is filed challenging the registration of FIR No. 13 of 2017 by the second respondent.

A perusal of the FIR shows that the Crime was registered under Section 34(e) of A.P. Excise Act, 1968 on 4.2.2017.

Today, when the matter is taken up, learned Government Pleader on written instructions submitted that while checking the vehicles on 4.2.2-17 at about 9.00 AM, at Bhadrachalam-Maredumill Road, the second respondent stopped the vehicles viz., Mahindra Boleru bearing No. AP 07 AC 3515 and Tata Lorry bearing No. AP 03 TE 3186, and on seeing the police party, two persons from Mahindra Boleru Car and three persons from Tata Lorry, tried to flee away from the scene, but the police apprehended them and before the police they made confessional statements in the presence of mediators that they were transporting 30 bags of Alum each containing 50 kgs, in Boleru Car and in the Tata Lorry, 400 gunny bags of black jaggery each containing 50 kgs totalling to 20,000 kgs, for the purpose of illicit distillation. The second respondent further stated that the seized property was produced before the learned Judicial First Class Magistrate, Rampachodavaram, on 4.2.2017.

In view of the same, this Court is not inclined to interfere with the investigation nor hold the registration of Crime as bad. However, if the petitioner is interested in seeking release of the property involved in the Crime, it is open for him to take appropriate proceedings before the Judicial Magistrate of First Class, Rampachodavarm.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

A. RAMALINGESWARA RAO, J

DATE: 27.04.2017

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