

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6904 OF 2017

ORDER:

Heard learned counsel for the petitioner, claimed as A2 of Crime No.170 of 2017 on the file of Prohibition and Excise Station, Kovur Mandal, SPSR Nellore District and also the learned public prosecutor representing the respondents.

2. Perused the grounds urged in the quash petition and also the special report/mediators panchanama of production of A1 and disclosure and also the order covered by anticipatory bail application dismissal in CrI.M.P.No.758 of 2017, dated 01.08.2017 of the petitioner.

3. A perusal of the material placed on record by the petitioner no way discloses he is shown as co-accused along with A1 to entertain the quash petition. Even the public prosecutor wants to get instructions saying there is nothing from perusal of the material supplied by the petitioner.

4. Dismissal of the anticipatory bail application or any loose arguments by the public prosecutor of the petitioner involved is not a ground to entertain the quash petition. Hence, this criminal petition is disposed of, with liberty to file if at all any future contingency arise to get recourse. Needless to say in the course of investigation, if at all the name of the

petitioner is disclosed and any arrest of him required, the police shall strictly follow Section 41A of Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

08.08.2017
SS



¹ 2014 (5) SCC 324