

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6539 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioner/ A2, seeking to quash the proceedings in Crime No.55 of 2017 on the file of Marripadu (D.C.Palli) Police Station, Sri Potti Sri Ramulu Nellore District, registered for the offence punishable under Section 34(A) of the A.P.Excise Act. (for short 'the Act'), pursuant to the so called panchanama of seizure and disclosure dated 03.07.2017.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the State.

It is premature for this Court to come to any conclusion, much less, to admit the criminal petition or to interdict the investigation.

Having regard to the above, the Criminal Petition is disposed of, without prejudice to move after closure of investigation if at all aggrieved from the police final report and any cognizance to decide on own merits. In the meantime, if at all arrest of the petitioner is required, the police have to follow Section 41-A Cr.P.C. as held in *Arnesh Kumar v. State of Bihar*¹, strictly.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 01-08-2017
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¹ (2014 (2) ALT (CrI.) 457 SC)