

SMT. JUSTICE T.RAJANI

CRIMINAL PETITION No.5155 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings in C.C. No.415 of 2004 on the file of the X Metropolitan Magistrate Court, Gannavaram, Krishna District.

The nature of offence, as shown, is violation of Section 18(a)(i) read with Section 16(1)(a) of the Drugs and Cosmetics Act 1940 and Section 18-B of the said Act.

When the matter was taken up for hearing on 14.12.2017, there was no representation for the petitioner. Hence, the matter was directed to be listed on 26.12.2017, under the caption for dismissal. Even today also, when the matter was listed under the caption for dismissal, there is no representation for the petitioner. Hence, this matter is taken up for final disposal on merits.

Heard the learned Public Prosecutor for the respondents and the learned counsel for the petitioners does not appear.

A perusal of the complaint shows that *prima faice*, alleged offence is made out against the accused. Considering the contents of the complaint, which reveal *prima faice* case against the petitioners, this Court is of the view that no relief, as sought for by the petitioners, can be granted and this petition is liable to be dismissed and accordingly, is dismissed.

Interim stay granted by this Court on 29.06.2011 in CrI.P.MP.No.5225 of 2011 shall stand vacated and the proceedings in C.C.No.415 of 2004 on the file of the X Metropolitan Magistrate Court, Gannavaram Krishna District shall go on. As a sequel, miscellaneous applications, if any, shall stand vacated.

JUSTICE T.RAJANI

Date: 26.12.2017

LSK