

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.2233 OF 2018

ORDER:

This petition is filed by the petitioner-accused under Section 482 Cr.P.C. to quash the proceedings in Cr.No.22 of 2018 on the file of the Station House Officer, Ghatkesar Police Station, Rachakonda District which was registered for the offences punishable under Sections 406, 411, 420 and 379 IPC and 7 of E.C. Act.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner lives somewhere else. By taking the electricity service connection details of the petitioner, this false case is foisted against the petitioner. The petitioner has nothing to do with the alleged mixing of kerosene and selling the same and ultimately, prayed to allow the petition.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioner in the petition.

5. As per the material placed on record, on 13-01-2018, one K.Narasimha Reddy, V.R.O. of Korremula village Panchayat, Ibrahimpatnam Mandal, lodged a report with the police stating that on 13-01-2018 at 12.00 hours, he received credible information that near Yellamma temple in plot Nos. 79 and 80 of Sy.No.711 situated at Chowdariguda village, Government subsidiary kerosene was mixed with unidentified oil and it is being sold. The Inspector of Police visited the scene of offence and found 300

litres of kerosene and 400 litres of unidentified oil. He took the details of electricity supply connection, which belongs to the petitioner. On that, he registered a case for the offences referred above and started investigation. There is a specific allegation that subsidiary kerosene was mixed with some unidentified oil to make it appear as diesel and sold the same. The petitioner said to be the owner of the premises. It cannot be held at this stage that the petitioner is an innocent person. The truth or otherwise of the allegations is required to be investigated. The petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed.

DATED: 23-02-2018.
Hsd

DR.SHAMEEM AKTHER, J

