

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9670 OF 2022
ALONG WITH I.A.NO.3 OF 2022

COMMON ORDER:

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed by the petitioners to quash the proceedings against them in FIR.No.359 of 2022, pending on the file of Station House Officer, Hanamkonda (Warangal), Warangal District.

2. The petitioners herein are the accused Nos.1 to 3 in the said crime. The offences alleged against them are under Sections 269 and 273 of Indian Penal Code (for short "IPC").

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent. Perused the record.

4. Learned counsel for the petitioners submits that this case is squarely covered with the Common Order rendered by this Hon'ble Court in Criminal Petition No.9062 of 2021 and batch, dated 14.07.2022.

5. This Court had repeatedly quashed the proceedings wherein tobacco products were found on the ground that the provisions under Sections 269 and 273 of IPC, are not attracted. This Court vide Criminal Petition No.9062 of 2021 and batch, dated 14.07.2022 had quashed the proceedings against the accused persons.

6. In the said circumstances, this Criminal Petition is allowed quashing the proceedings in FIR.No.359 of 2022, pending on the file of Station House Officer, Hanamkonda (Warangal), Warangal District.

7. As the proceedings in the aforesaid Criminal Petition are quashed against the petitioners, the Station House Officer/Investigating Officer is hereby directed to return the seized property/vehicle on proper identification and verification of ownership under due acknowledgment. In case the charge sheet is already filed, the petitioners are at liberty to file an appropriate application before the concerned Magistrate for return of the seized property/vehicle and the Magistrate shall consider the same in accordance with law. However, it is made clear that if the seized stock of tobacco products or other products are expired, the same

shall be destroyed by taking permission from the concerned Magistrate.

8. The copy of the common order passed by this Court in Criminal Petition No.9062 of 2021 and batch, dated 14.07.2022, shall form part of this order.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

K.SURENDER, J

Date: 19.12.2022
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