

# **Raja Khadarvalli Babu vs The State Of Andhra Pradesh on 31 January, 2023**

**Author: R. Raghunandan Rao**

**Bench: R. Raghunandan Rao**

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

WRIT PETITION No.1699 of 2023

ORDER:

The petitioner being aggrieved by the proceedings of the 3rd respondent dated 04.11.2019 in C.No.105/GL- SDOA/2019, opening a suspect sheet against the petitioner and others has approached this Court, by way of the present writ petition.

2. Sri Raja Reddy Koneti, learned counsel for the petitioner submits that the said suspect sheet had been opened against the petitioner on the ground that the petitioner was involved in Crime No.92 of 2018 on the file of A.S.Peta Police Station for offences under Sections 353, 272, 273 r/w 34 of I.P.C and Section 59(iv) of the Food Safety and Standards Act, 2006. He contends that no such suspect sheet could have been opened or continued against the petitioner on the basis of the alleged involvement in the said crime. In any event, the said case had been quashed by this Court, by an order dated 19.02.2021 in Crl.P.No.1048 of 2021 and Batch.

3. The learned Assistant Government Pleader, on instructions, submits that the petitioner is not involved in any other crime except the crime mentioned above.

4. In view of the fact that the said crime has been quashed and in view of the fact that dealing in tobacco products cannot be treated as a crime, it would only be appropriate that the said suspect sheet is set aside.

5. Accordingly, this Writ Petition is allowed setting aside the suspect sheet opened against the petitioner under proceedings dated 04.11.2019 in C.No.105/GL-SDOA/2019. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

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R. RAGHUNANDAN RAO, J.

31.01.2023 RJS HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO 31-01-2023 RJS