

Kandulla Sankara Rao vs The State Of Andhra Pradesh on 27 June, 2022

Author: K.Sreenivasa Reddy

Bench: K.Sreenivasa Reddy

THE HONOURABLE SRI JUSTICE K.SREENIVASA REDDY

CRIMINAL PETITION No.7218 OF 2019

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed seeking quash of F.I.R. No.546 of 2019 of P.M. Palem police station, Visakhapatnam registered for the offences punishable under Sections 270, 273 and 328 the Indian Penal Code, 1860.

It is alleged that on 22.11.2019 at about 21.00 hours, the petitioners/accused were found in possession of Mirage Khani packets, Gokul Deluxe gutkha packets and Raja khani packets near D.No.19-92, Swatantra Nagar, Madhurawada, Visakhapatnam, and police seized the same under cover of mediatorsnama and registered the aforesaid case against them.

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent- State.

This is a covered matter in view of the earlier common order of this Court dated 27.08.2018 in Criminal Petition Nos. 3731 of 2018 and batch, whereby this Court allowed the Criminal Petitions and quashed the offences punishable under Sections 270, 273 and 328 of the Indian Penal Code, 1860 and the Food Safety and Standards Act, 2006, based on identical facts. Therefore, the petitioners, who are similarly placed, are also entitled for quash of the F.I.R. registered against them.

In view of the aforesaid order of this Court and for the reasons stated therein, this Criminal Petition is allowed and the proceedings in F.I.R. No.546 of 2019 of P.M. Palem police station, Visakhapatnam.

Miscellaneous Applications, if any pending, also stand disposed of.

K.SREENIVASA REDDY, J 27.06.2022 PSR/DRK THE
HONOURABLE SRI JUSTICE K.SREENIVASA REDDY CRIMINAL PETITION No.7218 OF 2019
27.06.2022 PSR/DRK