

Konda Janardhan Rao vs The State Of A.P on 5 September, 2023

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HON'BLE SRI JUSTICE DUPPALA VENKATA RAMANA

CRIMINAL PETITION No.11620 of 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioner/A.3 seeking to quash the proceedings in Crime No.78 of 2017 of Kanchili Police Station, Srikakulam District, registered for the offence under Sections 270 and 273 IPC and Section 54 read with 59 of The Food Safety and Standards Act.

2. None appeared on behalf of the petitioner.

3. At the time of hearing, learned Assistant Public Prosecutor, on instructions, would submit that though stay is not granted by this Court in the above crime, investigation has not been completed and necessary direction may be given. Perusal of the record shows that the offences registered against the petitioners are punishable with less than seven years period of imprisonment.

4. In these circumstances, this criminal petition is disposed of leaving it open to the investigating officer to complete the investigation strictly in accordance with the guidelines given by the Hon'ble Supreme Court of India in the case of Arnesh Kumar v. State of Bihar¹. In the event of any coercive action (2014) 8 SCC 273 sought to be taken against the petitioners, the same would be taken only after an appropriate notice under Section 41-A of Cr.P.C. issued to the petitioner. If charge sheet is filed in the above crime, the petitioner is at liberty to file fresh petition seeking to quash the charge sheet, if he feels aggrieved by the same.

5. Pending applications, if any, shall stand closed.

JUSTICE DUPPALA VENKATA RAMANA 05.09.2023 Srt/Dinesh Mjl/* HON'BLE SRI JUSTICE DUPPALA VENKATA RAMANA CRIMINAL PETITION No.11620 OF 2017 05.09.2023 Srt/Dinesh Mjl/*