

Avula Sreeramulu vs The State Of Andhra Pradesh on 12 August, 2022

Author: Ninala Jayasurya

Bench: Ninala Jayasurya

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
HON'BLE SRI JUSTICE NINALA JAYASURYA
CRIMINAL PETITION No.6254 OF 2022

Between: -

Avula Sreeramulu
and another

... Petitioners/
Accused Nos.1 & 2

and

The State of Andhra Pradesh represented by
Represented by its Public Prosecutor
and another

... Respondent

Counsel for the petitioners : Dr.G.V.Ravi

Counsel for the respondents : The Public Prosecutor

ORDER:

Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor representing the respondents.

2. The present Criminal Petition has been filed seeking to quash the proceedings against the petitioners in Crime No.79 of 2022 on the file of Kaligiri Police Station, SPSR Nellore District, registered for the offences punishable under Sections 272, 273, 188 of the Indian Penal Code, 1860, Sections 59(1) of Food Safety and Standards Act, 2006, Sections 20(2), 22 read with 5(1) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003.

3. The learned counsel for the petitioners while placing reliance on the decision of this Court in Criminal Petition No.5421 of 2019 and batch, dated 18.12.2019, submits that the matter is squarely covered by the said decision and the present Criminal Petition deserves to be allowed by quashing the proceedings against the petitioners.

4. The learned Assistant Public Prosecutor fairly submits that the matter is covered by the common order passed in Criminal Petition No.5421 of 2019 and batch, dated 18.12.2019.

5. This Court has considered the submissions made by the learned counsel for both sides. A reading of the copy of the F.I.R., filed along with the material papers would clearly show that the Police have suo motu registered the Crime against the petitioners in this case.

6. Since the present case is squarely covered by the decision in Criminal Petition No.5421 of 2019 and batch dated 18.12.2019, for the reasons alike, the Criminal Petition is allowed, quashing the proceedings against the petitioners/ Accused Nos.1 and 2 in Crime No.79 of 2022 on the file of Kaligiri Police Station, SPSR Nellore District. Miscellaneous applications, pending if any, shall stand closed.

_____ NINALA JAYASURYA, J August 12, 2022.

vasu