

Ganaja Venkata Ramana Sunil vs The State Of Andhra Pradesh on 13 September, 2022

Author: Ninala Jayasurya

Bench: Ninala Jayasurya

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

HON'BLE SRI JUSTICE NINALA JAYASURYA

CRIMINAL PETITION No.7275 OF 2022

Between:-

Ganaja Venkata Ramana @ Sunil

And others

... Petitioners/
Accused Nos.3, 6 & 7

and

The State of Andhra Pradesh represented by
Represented by its Public Prosecutor.

... Respondent

Counsel for the petitioners : Mr.D.Kasi Rao

Counsel for the respondent : The Public Prosecutor

ORDER:

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

2. The present Criminal Petition has been filed seeking to quash the proceedings against the petitioners in Crime No.192 of 2022 on the file of Nandyal II Town Police Station, Nandyal District, registered for the offences punishable under Sections 273 read with 34 of IPC, Section 59(1) of the Food Safety and Standards Act, 2006, Section 24(1) read with 27 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and consequently direct the concerned Police to return the property seized in connection with the Crime.

3. The learned counsel for the petitioners while placing reliance on the decision of this Court in Criminal Petition No.3731 of 2018 and batch, dated 27.8.2018, 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 Additional Public Prosecutor fairly submits that the matter is covered by the common order passed in Criminal Petition No.3731 of 2018 and batch, dated 27.8.2018.

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.3731 of 2018 and batch dated 27.8.2018, for the reasons alike, the Criminal Petition is allowed, quashing the proceedings against the petitioners in Crime No.192 of 2022 on the file of Nandyal II Town Police Station, Nandyal District. As the offences registered against the petitioners are quashed, the tobacco products as also Lorry bearing No.AP 39 TF 7189, auto bearing No.AP 21 TF 1466 seized in connection with the Crime shall be returned to the petitioners, on proper identification and under acknowledgement. Miscellaneous applications, pending if any, shall stand closed.

_____ NINALA JAYASURYA, J September 13, 2022.

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