

Bollisetty Kameswarao vs The State.Station House Officer on 23 July, 2021

HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

MAIN CASE No. CrI.P. No.4101 of 2021

PROCEEDING SHEET ORDER

Sl. DATE
No.

1) 23-07-2021 CMR, J.

I.A.No.1 of 2021

Dispensed with for the present.

CrI.P.No.4101 of 2021

Learned Additional Public Prosecutor has taken notice for the respondent State and requests time to seek instructions.

Post the matter after four weeks.

I.A.No.2 of 2021

The Investigating Officer appears to have conducted a search in the building bearing Door No.56/6, which is situated at Auto Nagar, Guntur i.e. in 3rd floor of Gayathri Towers, in connection with the crime registered in Crime No.459 of 2020 of Pedakakani Police Station, Guntur District, for the offences punishable under Sections 272, 273, 420, 328 r/w.34 of IPC and Sections 57(1), 58, 59 and 62 of the Food Safety and Standards Act, on the ground that the petitioners have been indulging in doing business in tobacco products and other banned products. But, as can be seen from the mediators report, no such tobacco products or any banned

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products are found in the premises during the said search. However, peculiarly, the Investigating Officer has seized the said premises.

Learned Additional Public Prosecutor for the respondent State would submit that as it has come to
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light during the course of investigation that the petitioners are using the said premises for doing business in the said banned products, the said premises has been seized.

It is beyond the comprehension of the Court as to how the Investigating Officer can seize the premises of the office of the petitioners on the ground that they are doing business in the said banned products in the said premises and, more particularly, when no such banned products are found in the said premises during the search.

Therefore, the Investigating Officer is directed to immediately unlock the said premises, which has been kept by him under lock and key, and deliver possession of the same to the petitioners forthwith by 5.00 P.M. tomorrow i.e. 24.07.2021.

CMR, J.

Note:

Issue C.C. by 24.07.2021. B/O cs/akn