

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 2147 of 2015

ORDER :

The petitioners, who are accused Nos.1 and 2 in Crime No. 1102 of 2014 of Jeedimetla Police Station, Cyberabad, filed the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with the above crime registered for the offences punishable under Sections 447, 427 IPC and Sections 4 & 6 of A.P. Land Grabbing Act.

The case of the prosecution is as under:

The Mandal Revenue Inspector, Quthbullapur Mandal, lodged a report alleging that the petitioners encroached Government land to an extent of 1000 square yards along with a vacant room constructed in survey No.329 situated at Gajularamavaram village. It is further alleged that the petitioners are harassing the local residents who are objecting the encroachment of the Government land. Basing on these allegations, the above report came to be lodged.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor.

A perusal of the first information report would show that the police have registered the case for the offences punishable under Sections 447 and 427 IPC which are bailable. In so far as the offences punishable under Sections 4 and 6 of the A.P. Land Grabbing Act are concerned, learned counsel for the petitioners by relying upon a judgment of this Court submits that the provisions of the said Act can be invoked only after a finding by the Special Court constituted under the Act. Having regard to the said circumstances and without expressing any opinion as to the applicability of Sections 4 & 6 of the A.P. Land Grabbing Act, the petitioners are directed to surrender before the VI Metropolitan Magistrate at Medchal, Rangareddy District, within fifteen days from today and on such appearance, the petitioners are directed to be released on bail on such terms and conditions as the said Court

deems fit and proper.

Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

24th March, 2015

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