

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
CRIMINAL PETITION No.305 of 2013

ORDER:

This petition is filed for quashing Crime No.279 of 2012 dated 07.09.2012 on the file of Station House Officer, Nellore (Rural) Police Station, Nellore.

The 2nd respondent herein was the defacto complainant. She lodged a complaint with the Nellore (Rural) Police Station on 07.09.2012, which is registered as FIR.No.279 of 2012. In her complaint, she has alleged that the petitioner herein has abused her taking her caste name, which is a recognized community of Scheduled Castes. This apart the petitioner has also stated to have caused a bleeding injury on her left foot by using a crowbar. Therefore, the police have registered the crime and taken up the case for investigation.

It is the case of the petitioner that he is the absolute owner of an immovable property situated at Koneti Katta, which he acquired under the registered settlement deed dated 05.10.2009 from his father, who in turn acquired the same on payment of market value to the Government and the Tahsildar granted valuation patta No.8058/1978 in the name of his father. It is his case that some of the employees belonging to the police department, who are residing nearby the petitioner's plot made an attempt to occupy the same and hence the petitioner was forced to approach the I Additional Senior Civil Judge at Nellore by instituting O.S.No.282 of 2010. In view of the pendency of the civil suit filed by the petitioner, some of the employees of the police department instigated the complainant to lodge the complaint against the petitioner, so that he will be implicated in a crime, in which case he will not be able to get any

bail.

While entertaining this petition on 18.01.2013, a learned Judge of this Court directed interim stay of arrest till completion of the investigation.

Since none appears for the petitioner and there is also no representation on his behalf, I am not in a position to know as to what happened to the investigation. Since the complaint, as a whole, when read, prima-facie makes out a case against the petitioner. Therefore, ends of justice would be met by disposing of the case while continuing the interim order granted on 18.01.2013 by this Court.

Accordingly, the petition is disposed of and the interim order granted earlier by this Court on 18.01.2013 to continue till the completion of investigation. No costs.

The miscellaneous applications, if any shall also stand dismissed.

JUSTICE NOOTY RAMAMOHANA RAO

12.06.2015
Ksp