

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3602 of 2015

ORDER:

Upon hearing both sides, at the admission stage, the following Order is passed:

The complainant allegations in Cr.No.79 of 2015 are that he purchased 1210 square yards of site from K. Krishna Reddy and in that plot he constructed a compound wall, but Krishna Reddy's brother--Kontham Yadagiri Reddy/Accused No.1 along with his men trespassed into the plot on 26.01.2015 and demolished the compound wall.

The submission of learned counsel for petitioner is that though 1210 square yards of the site was purchased by K. Krishna Reddy and his wife Jayamma, in a subsequent agreement dated 20.11.2012 (copy of which is filed) K. Krishna Reddy gave half of the said plot i.e., 605 square yards to the share of accused No.1 and in fact he constructed the compound wall therein and he has not committed any offence and a false case was foisted against him.

It is informed by the learned Assistant Public Prosecutor that the investigation is in progress.

Having regard to the facts of the case, in the considered opinion of this Court, the investigation shall continue to know who demolished wall and caused damage to the property. Therefore, the investigation shall be continued to its logical end. However, as the dispute is a property dispute and civil in nature, the Police of Vanastalipuram Police Station, are directed not to arrest the petitioner/Accused No.1 by name Kontham Yadagiri Reddy during the course of investigation. The petitioner shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, the Criminal Petition is disposed of.

As a sequel, miscellaneous applications pending, if any, shall stand

closed.

U.DURGA PRASAD RAO,J

24-04-2015

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Dt. 24.04.2015

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