

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

* * * *

WRIT PETITION No.4676 OF 2011

Between:
V.Rajakumar.

.. Petitioner

And

The Inspector of Police,
Mydukur Rural Police Station,
Kadapa District and another.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 21-07-2015

-
SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.4676 of 2011

ORDER:

This writ petition was filed to declare the proceedings in Crime No.154 of 2010 on the file of Khajipet Police Station, Kadapa District, against the petitioner, as illegal.

This Court took note of the petitioner's claim that the case was registered against 27 accused and material was seized from A.1 to A.4 and that the petitioner was implicated only on the statement said to have been given by A.1 and, by order dated 11.03.2011, directed the police authorities to proceed with the investigation in Crime No.154 of 2010 but not to arrest the petitioner.

The Sub-Inspector of Police, Khajipet Police Station, YSR Kadapa District, filed a counter-affidavit stating that Crime No.154 of 2010 was registered under Sections 307, 353, 506 and 379 I.P.C., read with various other provisions of law on the file of Khajipet Police Station. The petitioner was shown therein as A.8. Upon due investigation, the police found that a *prima facie* case was established against all the accused and laid a charge sheet before the learned I Additional Sessions Judge, Kadapa vide Special S.C.No.38 of 2015. The case was stated to be pending trial.

In the light of the aforestated developments, the prayer of the petitioner to quash all proceedings pursuant to the registration of Crime No.154 of 2010 on the file of Khajipet Police Station, Kadapa District, cannot be countenanced at this stage. As the police authorities have already laid a charge sheet before the competent criminal Court and the case is pending trial, it is for the petitioner to face the prosecution and put forth his defence before the said Court.

The writ petition is therefore dismissed.

Interim order dated 11.03.2011 shall stand vacated.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Date:21.07.2015

GJ