

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 627 of 2015

ORDER:

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

On the report of the *de facto* complainant in Dharmapuri Police Station, Karimnagar District, a case in Cr.No.27 of 2014 for the offences under Sections 448, 427, 379, 420, 468 and 471 IPC was registered and the investigation is stated to be pending against the petitioners/accused. The allegations are that on 23.02.2014 the petitioners/accused Nos. 1 and 2 trespassed into the house of the complainant and committed theft of current motor pump and damaged the household articles and also created forged document i.e., sale deed dated 11.09.1997 with the alleged signature of the complainant.

While so, the learned counsel for petitioners/accused Nos. 1 and 2 submits that in fact, the petitioner/Accused No.1 has filed a civil suit in O.S.No.36 of 2012 on the file of Principal Junior Civil Judge at Jagtial, against the *de facto* complainant and others in respect of the same property and obtained *ad interim injunction*, as per the Docket Order dated 22.02.2012 and the present complaint is only a counter blast to the civil proceedings and sought for quashment of the proceedings in the FIR.

Having regard to the *prima facie* allegations regarding the acts of vandalism, it is not a fit case to quash the proceedings. However, considering the fact that a civil suit is already pending before the competent civil Court and there is no threat of the petitioners/accused absconding, it is decided to grand bail to them.

Accordingly, petitioners/accused Nos. 1 and 2 are directed to surrender before Additional Judicial First Class Magistrate, Jagtial, on or

before 23.02.2015 and on such surrender, petitioners/Accused No.1 and 2 shall be enlarged on bail on each of them executing a bond of Rs.10,000/- with one surety for a likesum to the satisfaction of the said Court. The petitioners/Accused No.1 and 2 are directed to cooperate with the investigating agency for smooth completion of investigation.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

U.DURGA PRASAD RAO,J

12-02-2015

Note: Issue C.C. by tomorrow.

B/o

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CRL.P. No. 627 of 2015

Dt. 12.02.2015

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