

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

FRIDAY, THE TWENTY SIXTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

PRESENT
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.1315 of 2011

Between:

Dadi Srinivasa Rao (Srinu) and 2 others

..... PETITIONERS/ACCUSED

AND

The State of A.P, rep.by its
Public Prosecutor and 3 others

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.1315 of 2011

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.1 of 2011 on the file of Yelamanchili Police Station, Visakhapatnam District.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor, representing the State.

3. Basing on the complaint lodged by the respondents 2 to 4, who are revenue officials, the police registered the above crime against the petitioners/accused for the offences punishable under sections 353, 506,

509, 323 IPC and under Section 3(1)(x) of SC & ST (POA) Act, 1989.

4. The allegations made against the petitioners/accused are that on 31.12.2010 when the revenue officials went to the Government assigned land situated in Sy.No.222/6 in which pattas were issued under Indiramma Phase III Scheme, for purpose of inspection and for removal of any encroachments therein, the petitioners/accused and others have obstructed them from removing the encroachments and in the said process, the petitioners/accused abused them pointing out their caste, beat them and threatened them to kill. Further, when the respondents 2 to 4 with their staff proceed further to remove the encroachments, the petitioners/accused tried to pour kerosene on the village servants and set fire.

5. The allegations levelled in the complaint, *prima facie*, reveal the commission of offences alleged against the petitioners/accused. This is a matter, which requires investigation by the police, and there are no valid grounds to quash the proceedings in the above crime. The Investigating Agency shall proceed with the investigation, however, shall scrupulously follow the procedure as stipulated under Section 41A Cr.P.C. before taking any coercive steps against the petitioners/accused.

The Criminal Petition is accordingly dismissed.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 26.06.2015

Dsr