

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.14027 OF 2016

ORDER:

The present petition is filed, under Section 482 Cr.P.C., to quash the proceedings in F.I.R.No.146 of 2016 of Renigunta Police Station, Tirupati Urban, Chittoor District.

2. The petitioners are arraigned as accused Nos.1 to 3 in the said crime and alleged to have committed the offences punishable under Sections 447, 427, 323, 506 and 509 read with 34 I.P.C. and Section 3 (1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Heard.

4. Learned counsel for the petitioners would submit that six months after the alleged date of offence, a private complaint was filed and the same was referred under Section 156 (3) Cr.P.C. to Renigunta Police Station for investigation. It is also his submission that the allegations levelled against the petitioners are false and the father of *de facto* complainant worked as A.S.I. in the very same police station and, the petitioners are falsely implicated levelling offences under the special statute.

5. As could be seen from the complaint averments, *prima facie* allegations are occurring as to dispossession and erecting of white cut stone pillars by demolishing the basement of a house already existing

and, therefore, it is not a case where quashing of the proceedings can be ordered.

6. However, keeping in view, that the father of the *de facto* complainant worked in the very same police station, the Criminal Petition is disposed of with a direction that the petitioners shall not be arrested till the completion of investigation, but, however, the petitioners shall appear before the Investigating Officer as and when required by the Investigating Officer and co-operate for the purpose of interrogation by the concerned Investigating Officer.

7. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

September 30, 2016.

Note: Issue C.C. by 03.10.2016.
B/o.MD

A. SHANKAR NARAYANA, J