

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1675 OF 2016

ORDER:

1. This Criminal Petition is filed under Section 482 of Code of Criminal Procedure by the petitioner-A1 seeking to quash the proceedings against him in Crime No.19 of 2016 on the file of Kulsumpura Police Station, registered for the offence punishable under Sections 447, 353 r/w 34 IPC and Sections 3 & 5 of the PDPP Act.

2. Heard the learned Counsel for the petitioner-accused and the learned Public Prosecutor and perused the material available on record.

3. It is alleged that the petitioner and other accused trespassed into the Government land and started constructions illegally and when the complainant-police constable along with other constable questioned the said acts, all the accused pushed them and obstructed them while discharging their legitimate duties.

4. Considering the facts and circumstances of the case and the nature of the allegations made against the petitioner, this Court is not inclined to interfere with the proceedings in the above Crime.

5. At this stage, the learned Counsel for the petitioner submitted that as the complainant in the above crime is a police constable, the police officials may use their power to harass the petitioner.

6. In view of the above submission, the respondent-police are directed to complete the investigation without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner-A1 is also directed to appear before the Investigating Agency as and when required and cooperate with the Investigating Agency.

7. With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

Date: 15.2.2016

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