

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40245 of 2016

ORDER:

The present writ petition is filed seeking to call for the records relating to Crime No.719 of 2016 of Miyapur Police Station, Cyberabad, for the offences under Sections 448, 427, 380, 324 & 143 IPC, and consequently, set aside the same.

The de facto complainant lodged a complaint stating that she along with her mother purchased an extent of 575 square yards in Gokul Plots, Miyapur and constructed compound walls and temporary sheds and that the petitioner and another trespassed into her land and demolished the compound walls and rooms with JCBs and tractors and taken away the electricity meters and when she went there, the petitioner threatened her with dire consequences.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that he purchased the subject land along with another person and that the de facto complainant is claiming ownership and civil suits are also pending with regard to ownership of the property.

The learned Assistant Government Pleader for Home submitted that on the basis of the complaint, a case was registered against the petitioner and another, and the respondents are investigating into the matter in accordance with law.

The petitioners filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts

and circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his appearance before the investigating officer as and when required, for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

November 22, 2016.
KTL



RAJA ELANGO, J