

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5480 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused No.1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.106 of 2016 on the file of Gajuwaka Police Station, Visakhapatnam District, registered for the offence punishable under Sections 341, 353, 427, 447, 506 r/w 34 IPC and Sections 3, 4 and 5 of PDPP Act.

Heard and perused the material available on record.

It is alleged that the land admeasuring Ac.1.38 cents in Sy.No.38/11 of Mulagada village belongs to the Government and the same was allotted to the Project Officer, ITDA, Visakhapatnam for construction of hostel building. While so, the petitioner filed W.P.No.7971 of 2016 before this Court with false allegations and prayed for a direction not to disturb his possession over the land in question and this Court granted interim direction as prayed for. On 20.3.2016 the petitioner attempted to demolish the compound wall. On 23.3.2016 the petitioner and others demolished the compound wall. When VRA resisted the attempts of demolition, his mobile was taken away.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner. However, the 1st respondent-police are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue a notice to the petitioner to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required for the purpose of

investigation.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.4.2016

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DATED 19.4.2016

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