

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3934 OF 2016

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ORDER:

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This petition is filed by the petitioners-accused Nos.1 to 4 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.206 of 2015 on the file of Atchutapuram Police Station, Visakhapatnam District, registered for the offence punishable under Sections 353 r/w 34 IPC.

Heard and perused the material available on record.

It is alleged that the 2nd respondent-de facto complainant, who is MRO of Atchutapuram Mandal, arranged some Government land to construct BC colony at LCC Count in Sy.No.85 in between Kadapalem and Kondapalem villages, wherein the accused planned to construct Vivekananda Statue without obtaining any permission. When the VRO went to give notices to the accused, they obstructed him and abused him.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating officer and give an undertaking as to their future appearance as and when required by the investigating agency 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 : 22.3.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 22.3.2016

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