

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4181 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-4 in Crime No.76 of 2016 of Pedakakani Police Station, Guntur Urban, registered for the offences punishable under Sections 447, 427 and 506 read with Section 34 IPC.

Heard the learned counsel for the petitioner and perused the material.

It is alleged in the complaint that on 13-03-2016 the petitioners along with others have trespassed into the land of the *de facto* complainant when he was present in the land stating that he has no right to enter into the land and dig the land and threatened him with dire consequences. It is further alleged that the petitioners have removed the temporary sheds erected in the lands and caused damaged to the de fact complainant. The truth or otherwise of the above said allegations can be ascertained only during enquiry and the same cannot be determined at this stage. Therefore, this Court is not inclined to interfere with the investigation against the petitioners.

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

In view of the above submission, the police concerned are directed to complete the investigation without arresting the petitioners/A-1 to A-4 and file final report, if any, before the

concerned Court. In the event of necessity, the police concerned are directed to issue notice to the petitioners for their appearance before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners herein shall appear before the investigating agency for the purpose of investigation. In the event of failure on the part of the petitioner/A-1 to A-4, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 29-03-2016

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