

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1915 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners-accused seeking to quash the proceedings in FIR No.11 of 2016 on the file of Vetapalem Police Station, Prakasam District, registered for the offences punishable under Sections 379, 427 and 447 r/w.34 IPC and 3 of PDPP Act.

Heard and perused the material available on record.

It is alleged that the petitioners are transporting the sand illegally from the government lands and thereby, damaging the public property.

Learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them and due to political rivalry, they were falsely implicated in this case.

The truth or otherwise of the said allegations can be ascertained by the investigating agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioners in the above crime.

At this stage, learned counsel for the petitioners submitted that in view of the pendency of the above crime, the petitioners apprehend arrest and also the 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 and file a final report, if any, in accordance with law. The petitioners are directed to appear before the Investigating

Agency as and when their presence is required, and cooperate with the Investigating Agency.

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

RAJA ELANGO, J

February 17, 2016.

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