

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36567 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in Crime No.244 of 2016 on the file of Anantapuram II-Town Police Station, Anantapuram District.

Heard and perused the material available on record.

The 3rd respondent made a complaint stating that the he entered into an agreement of sale to purchase land situated at Chittoor, belonging to Sri Sri Vysaraj Mutt, Karnataka State, with the GPA holder of the petitioner and paid an amount of Rs.20,00,000/- towards advance. Subsequently, it came to know that the GPA given by the petitioner was cancelled and also the subject land was sold to others.

The grievance of the petitioner is that he is the Peetadhipati of the Mutt and he is not well versed with the procedural aspects and that the 3rd respondent foisted the present case against him and the 2nd respondent is trying to arrest him without following the procedure in accordance with law.

The learned Assistant Government Pleader 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.

Considering the facts and circumstances of the case and the grievance of the petitioner, and since the matter is arising out of civil disputes, without expressing any opinion on merits, the 2nd respondent is

directed to complete the investigation in the above crime, and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned as and when required and cooperate with the investigation.

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

October 28, 2016.
KTL

RAJA ELANGO, J



