

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5744 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 her in Crime No.129 of 2015 on the file of Edulla Bayyaram Police Station, Khammam District, registered for the offence punishable under Sections 3(iv)(v)(ix) and Section 3 (2)(vii) r/w Section 10 of the SCs & STs (POA) Act r/w Section 6-A of A.P. Scheduled area (Land Transfer) Regulation, 1959.

Heard and perused the material available on record.

It is alleged that respondents 1 and 2 are the owners of house bearing No.3-28 of Gopalaraopeta, Pinapaka Mandal, Khammam District and that the petitioner is the tenant in the said house on monthly rent and she avoided payment of rents from December, 2014. She did not vacate the premises. A2-Executive Officer, Grampanchayat, issued ownership certificate to A1, and A2- Assistant Engineer Sub-Station, Electricity Office issued service connection to her house in her name. The petitioner gathered some non-tribals and formed into an unlawful assembly with an intention to assault respondents 1 and 2.

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 3rd 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 3rd 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 her 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 : 21.4.2016

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DATED 21.4.2016

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