

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7946 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioner/A5 seeking to quash the proceedings in Cr.No.141 of 2016 of Nellore Rural Police Station, SPSR Nellore District, registered for the offences punishable under Sections 120(b), 379, 406, 427 r/w 34 IPC and under Section 3 of PDPP Act, against him.

2. Heard learned counsel for the petitioner/accused and learned Additional Public Prosecutor representing the State.

3. It is alleged in the complaint that A1 took the land of Sri Lakshmi Narasimha Swamy Temple on lease for a period of one year in an open auction with specific conditions, but he sliced the coconut, mango and some other trees from the said land without any intimation.

4. In view of the specific allegations against the petitioner in the complaint, the matter requires thorough investigation by the police. Truth or otherwise of the allegations can only be decided during course of investigation or trial. Therefore, I see no ground to interdict the investigation at this stage and quash the first information report.

5. In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/A5 for a period of two months from today in the above crime. The petitioner/A5 shall appear before the investigating agency as and when required during course of investigation.

Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

15th June, 2016

sj