

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6483 OF 2016

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ORDER:
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This petition is filed by the petitioners-A2 and A3 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.141 of 2016 on the file of Nellore Rural Police Station, SPSR Nellore District, registered for the offence punishable under Sections 120(B), 427, 379, 406 r/w 34 IPC and Section 3 of Prevention of Damage to Public Property Act, 1984.

Heard and perused the material available on record.

It is alleged that the petitioners took the land of the temple on lease for a period of one year in open auction with specific conditions. But the petitioners sliced the coconut trees, mango and some other trees from the land without any intimation to the authorities concerned and in violation of the conditions of lease.

Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to grant the relief sought by them. However, the 1st respondent-police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating agency and give an undertaking as to their 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 : 27.4.2016

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DATED 27.4.2016

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