

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4107 OF 2016

ORDER:

This petition is filed by the petitioners-accused Nos.2 and 3 under Section 482 Cr.P.C. seeking to quash the proceedings against them in FIR No.726 of 2015 on the file of the Jubilee Hills Police Station, Hyderabad, registered for the offence punishable under Section 447 IPC and Section 5 of the A.P. Land Grabbing Act.

Heard and perused the material available on record.

It is alleged that the petitioners along with other accused trespassed into the Government land in Sy.No.403 Shaikpet Mandal and levelling the same with JCB.

It is stated that A1 entered into an agreement of sale with some persons, who are the legal heirs of the land owners in Sy.No.93 of Shaikpet Mandal, and subsequently, he entered into a memorandum of understanding with A2 by taking Rs.10 lakhs as advance. A2 told his friends-A3 and A4 to get the land levelled. But, they have come to the Government land in Sy.No.403, damaged the same and started levelling the land with JCB, instead of doing work in Sy.No.93.

Considering the facts and circumstances of the case and the allegations made against the petitioners in the complaint, this Court is not inclined to grant the relief sought by the petitioners.

At this stage, the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the respondent-police.

In view of the above submission, the respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating

officer and give an undertaking as to their future appearance as and when required by the investigating agency 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 : 28.3.2016

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DATED 28.3.2016

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