

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

CRIMINAL PETITION No.8230 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioner/accused seeking to quash the proceedings in Cr.No.592 of 2011 of Visakhapatnam III Town Police Station, Visakhapatnam District, registered for the offence punishable under Section 447 IPC and under Sections 3 and 4 of Land Gabbing Act, against her.

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

3. It is alleged in the complaint that the accused and her henchmen were trespassed into the land in Sy.No.34 belongs to Andhra University and threatened the University employees in the said land.

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. 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/accused for a period of two months from today in the above crime. The petitioner/accused shall appear before the investigating agency as and when required during the course of investigation.

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

M.S.K.JAISWAL,J

14th June, 2016
sj