

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3438 OF 2016

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ORDER:
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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.40 of 2016 on the file of the Kadiri Town Police Station, Ananthapuram District, registered for the offence punishable under Sections 420 and 506 IPC and Section 3 (1)(x) of the SCs & STs (POA) Act.

It is alleged that when the petitioner sold the house plots, the 2nd respondent purchased a house plot in the name of his wife. Subsequently, the 2nd respondent came to know that the said land belongs to Kadiri Municipality. When the 2nd respondent questioned the petitioner, the petitioner abused the 2nd respondent in the name of his caste.

Heard and perused the material available on record.

Learned Counsel for the petitioner submitted that the present complaint has arisen out of the dispute over the property, which belongs to the municipality and the allegations are not serious in nature.

From the material on record, it is evident that there is a dispute between the 2nd respondent and petitioner. Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioner submitted that due to pendency of the above crime, the petitioner apprehends arrest.

In view of the above submission, the 1st respondent-police are

directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioner for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating officer and give an undertaking as to his 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 : 15.3.2016

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DATED 15.3.2016

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