

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.8821 of 2011

ORDER:

This criminal petition is filed seeking for quash of the proceedings against the petitioners, who are accused in Cr.No.69 of 2011 on the file of P.S., Kota, SPSR Nellore district, dated 21.07.2011, for the offences under Sections 447, 323 and 506 read with 34 IPC.

2. When the matter was taken-up for hearing on 30.10.2017, as non appeared for the petitioners, it was directed to be listed under the caption “for dismissal”. Accordingly, the matter was listed and at the request of the learned counsel for the petitioners it underwent four adjournments. Today when the matter is taken up for hearing that was listed under the caption for dismissal, neither the learned counsel for the petitioners appeared nor is there any representation on their behalf. Hence, the matter is taken – up for disposal on merits.

3. Heard the learned Public Prosecutor, who takes notice for the first respondent and the learned counsel for the second respondent.

4. A perusal of the complaint, shows that there are specific allegations made against the petitioners that they trespassed into the land of the complainants and committed an offence punishable under Section 427 IPC. As there is a *prima facie* material against the petitioners, this Court is of the considered opinion that this is not a fit case to quash the proceedings.

5. With the above observations, the criminal petition is dismissed. Interim stay granted by this Court on 22.09.2011 in CrI. M.P. No. 9546 of 2011 shall stand vacated. As a sequel, the miscellaneous applications, if any pending, shall stand closed

T. RAJANI, J

December 11, 2017
JR

