

**HON'BLE SRI JUSTICE P. KESHAVA RAO**

**CRIMINAL PETITION No.5552 of 2017**

**ORDER:**

Heard the learned counsel for the petitioner as well as the learned Special Public Prosecutor appearing for the respondent - State.

The prayer sought in the criminal petition is as under:

“For all the reasons stated above, this Hon'ble Court may be pleased to quash the F.I.R.No.05/ACB-KNR/2016 of PS ACB Karimnagar Range, Karimnagar District, as against the petitioner/accused No.1 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

The facts of the case are that on 08.06.2016 one Sri T.Sammi Reddy and another filed a complaint before the Director General, ACB, State of Telangana, stating that one Smt. Mankena Rajani, joined as Tahsildar, Jammikunta, Karimnagar district and Sri Marella Srinivas, joined as In-charge VRO of Madipally Gram Panchayat. Both the said persons colluded together and made corrections in the pahanies, mutations, 1-B corrections and issued pattadar passbooks without the interference of the concerned officers and committed many irregularities. In the said process, the said Tahsildar, two days prior to going on leave from 25.05.2016, i.e., on 23.05.2016 and 24.05.2016, in File No.B/231/2016, has processed 69 files for mutation and etc., against the rules and regulations and issued pattadar pass books. In the process of doing the said irregularities, heavy amounts were exchanged apart from other allegations. On

the said complaint, the Deputy Superintendent of Police, ACB, Karimnagar, endorsed that after conducting preliminary enquiry into the contents of the petition, legal action should be initiated as per law. It appears, pursuant to the said complaint, a crime has been registered vide FIR.No.5/ACB-KNR/2016 on 13.06.2016 for the offences under Sections 7 and 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988, against the said two persons. Aggrieved by the registration of the said crime, the petitioner/A1 filed the present petition to quash the proceedings initiated against her in the above said crime.

Learned counsel appearing for the petitioner would contend that the author of the said complaint is not a competent person to lodge a complaint. Perusal of the complaint also would indicate that no specific allegations are made. Therefore, the proceedings initiated against the petitioner are liable to be quashed.

Per contra, the learned Special Public Prosecutor appearing for the respondent State filed a counter affidavit reiterating the version in the complaint and stated that since the crime is at the investigation stage and specific allegations are made in the complaint, the proceedings initiated against the petitioner crime cannot be quashed.

Perusal of the material on record would indicate that specific allegations are made with reference to issuance of pahanies and pattadar pass books in violation of the procedure contemplated under the provisions of the Record of Rights in Lands and Pattadar Passbooks Act, 1971 and also affecting mutation in respect of various lands without following the procedure. In the said complaint, the names of the persons in whose favour such irregular orders were passed are also given along with their cell phone numbers. Therefore, when specific allegations are made with reference to the instances and individuals and when the crime is at the investigation stage, this Court is of the opinion that by exercising the power under Section 482 Cr.P.C. the disputed questions of fact cannot be gone into more so when it is asserted by the learned counsel for the petitioner that no such proceedings are passed and no such irregularities have been taken place.

During the course of hearing, it is also informed to the Court by the learned Special Public Prosecutor that the petitioner was already arrested in the above said crime and she has been suspended from the duty. Therefore, this Court finds no merit in the criminal petition and the same is liable to be dismissed.

Accordingly, the criminal petition is dismissed. However, after completion of investigation, if any charge sheet

is filed, it is open for the petitioner to pursue the remedies available to her as per law.

Miscellaneous petitions, if any, shall also stand dismissed. No costs.

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**JUSTICE P. KESHA RAO**

Date: 11.04.2018.  
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