

THE HON'BLE SRI JUSTICE P.KESHAHA RAO

WRIT PETITION NO. 9497 OF 2014

ORDER:

1. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for respondent Nos. 1 to 5.

2. The prayer sought in the Writ Petition is as under:

“to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents with particular reference to Respondents 4 & 5 in interfering with civil disputes and harassing the petitioner's by registering false case i. e., F.I.R. No 197 /2013 dt. 4.7.2013 on the file of Toopran Police Station at the instance of 7th Respondent who is trying to grab the Petitioners' lands situated in Sy. No. 228, Dillai, Kucharam Village, Toopran Mandal, Medak District with the assistance of Respondents 8 & 9 as illegal, unjust, arbitrary, violative of Rule of Law and vitiated by favouritism and mala fides and also violative of Articles 14, 19, 21 and 300-A of the Constitution of India and consequentially quash F.I.R. No 197/2013 dt. 4.7.2013 on the file of Toopran Police Station, Medak District.”

3. Learned GP appearing for respondent Nos. 1 to 5 submitted that respondent No.6 herein approached the Police of Toopran P.S. and lodged a complaint leading to registration of Cr.No.197 of 2013. Pursuant to the registration of said

crime, the investigating officer examined respondent No. 6 and other witnesses and recorded their detailed statements. Ample evidence has been collected during the course of investigation which goes to show that at the instigation of petitioner No.1 i.e., A1, the other accused A2 to A4 came in a Tata Sumo bearing No. AP 11 F 7707 and trespassed into the land of respondent No.6. However, in the light of the interim orders passed in this Writ Petition, the petitioner is not arrested and no steps are taken against him. The investigation is also almost completed in the said crime. The petitioner having bore grudge against respondent No.6, filed the present Writ Petition with false and baseless allegations against the respondent Police. Except conducting an enquiry, pursuant to registration of Crime No.197 of 2013, respondent Nos. 2 to 5 neither interfered in the disputes pending between the parties nor tried to grab the lands of the petitioner.

4. In the light of the above said statement, this Court is of the opinion that no further orders are required in this Writ Petition.

5. Accordingly, the Writ Petition is closed.

6. At this stage, learned counsel for the petitioner requested that since charge sheet is not filed, petitioner being a Professor

in Osmania University, directions may be given to respondent Nos. 1 to 5 not to arrest him.

7. Though it is mentioned that the investigation is almost completed, if any further investigation is left out, respondent Nos. 1 to 5 are directed to follow the procedure as contemplated under Section 41-A of Cr.P.C. and take appropriate steps.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

Date: 6.11.2018

KPM



P. KESHAVA RAO,J