

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.6764 OF 2011

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioners/A-1 to A-3 seeking to quash the proceedings in Crime No.95 of 2011 of Ponnur Rural Police Station, Guntur District, registered for the offences punishable under Sections 384, 365, 342 and 324 R/w.34 of I.P.C.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, appearing for the 1st respondent – State. None appears for the 2nd respondent – *de-facto* complainant, in spite of service of notice.

3. A perusal of the complaint would show that there are serious allegations made against these petitioners. The allegations are that while the complainant was working as Poojari, from the past 5 years, in Nagendraswamy Putta, and there is dispute with regard to the said Putta, the petitioners threatened the complainant to stop working as Poojari and several abuses were made against him and as such, on 27.07.2011, he was kidnapped and the petitioners took him and his brother to the house of one Yarrasani Naga Koteswara Rao; restrained them till afternoon and tried to do away with the life of the complainant. Further, there is an allegation that they have obtained the signatures of the complainant on some blank promissory notes and are planning to do away with the life of the complainant and his brother at Morthada village, by engaging a car, somehow managed to escape from his house.

4. Learned counsel for the petitioners submits that this complaint is falsely foisted against the petitioners after obtaining injunction order in I.A. No.565 of 2011 in O.S. No.56 of 2011 on the file of Principal Junior Civil Judge, Ponnur, Guntur District, on 06.05.2011.

5. But in the considered opinion of this Court, even if that be the reason for filing this report, when there are serious allegations made against the petitioners

and there is no material produced to disprove the said allegations, it would not be safe to quash the proceedings, at this stage.

6 In view of the above, the Criminal Petition is dismissed.

7. As a sequel, miscellaneous petitions if any, pending in this Petition shall stand dismissed.

T. RAJANI, J

Date: 18.09.2018.
Dsh



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Date. 18.09.2018

DSH