

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.36917 OF 2018

ORDER :

When the matter is taken up, written instructions, dated 10.10.2018, furnished by the Sub Inspector of Police, Bachannapet Police Station, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, read as under:

"It is submitted that the petitioner herein is Accused No.3 in FIR.No.82/2018 u/s 448, 341, 294-B, 506 r/w 34 IPC, dated 24.8.2018. The said Crime has been registered based on the report given by one Gurrala Balaraju against 1) Banda Satyanarayana, 2) Banda Laxrni and 3) Banda Srinivas. In the complaint, it is stated that the complainant has purchased H.No.11-8 situated at Bachannapet, Jangaon District under Registered document from Banda Muralidhar on 24.5.2018. One Mr. Govardhan Joshi was the tenant in the said house at the time of purchase. He was asked to vacate the house. The said Joshi sought 2 months time. On 31.7.2018 the said Joshi vacated the house and handed over the keys to him. On 1.8.2018 he let out the house to one Mr.N.Shankar and said Shankar locked the house. On 23.8.2018 the said Shankar informed that the accused by breaking open the door lock, entered the house and staying in the house On that he went to his house and questioned the accused about their illegal trespass into his house. The accused stated that the said house belongs to them and further abused him in filthy language. The accused also necked him out of the house by pushing him. The complainant therefore requested to take necessary action against the accused.

It is submitted that during the course of investigation in the above crime, notices u/s 41 (A) OLP C are issued to the accused including the petitioner herein who is A-3 in the Crime on 2 9.2018. The accused thereafter filed Criminal Petition for quashing the FIR before the Hon'ble High Court and it is pending. It is submitted that the case is pending investigation for examination of certain witnesses and collection of evidence. The present Writ Petition has been filed with a malafide intention in order to prevent the Police from conducting further investigation in the Crime. It is submitted that the allegations made in the affidavit are not correct and hereby denied. The Respondent Police are not interfering in civil disputes and not threatening

the petitioner to vacate the subject house. The Respondent police are also not calling the petitioner and his family members to the Police Station, as alleged in the affidavit. The said allegations have been made only for the purpose of the writ petition”.

By placing on record the above written instructions, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

25th October, 2018
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A.V.SESHA SAI, J

