

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4018 OF 2023

Between:

1. Mathe Pavan, S/o Mathe Papai aged about 34 years R/o H.No.9-44 Bhagyakala Nagar Lenin Nagar Near water tank Meerpet Balapur Mandal Ranga Reddy District.
2. Kaleti swamy, s/o. Vittalaiah aged about 48 years, Occ.Business
3. Laleti Nani alias Giri Babu, S/o.Vittalaiah aged about 40 years, Occ.Business
4. Miryala Eppa Kumar, S/o. Yellaiah aged about 42 years, Occ.Business
5. Kallem Tirupathi, S/o. Tirupathaiah aged about 38 years, Occ.Business
6. Miryala Prasad, S/o. Laxmaiah aged about 38 years, Occ.Business
7. M.Laxmamma, W/o. Laxmaiah aged about 50 years, Occ.Business
8. Mothem Hanumanth Rao, S/o.Mothem Jangaiah aged about 43 years, Occ.Business
9. Kallem Srinivas, s/o. Kallem Kistaiah aged about 46 years, Occ.Business
10. Kallem Chandu, S/o.Tirupathaiah aged about 40 years, Occ.Business
11. Aleti Ramachander, S/o. Late Aleti Jangiah aged about 55 years, Occ.Business
12. K.Kistamma, W/o.K.Tirupathaiah aged about 50 years, Occ.Business
13. M Lakshmi, W/o. M Papaiah aged about 51 years, Occ.Business
14. A.Andalu, S/o.a.Anand aged about 40 years, Occ.Business
15. Kallem Santh, W/o.srinu aged about 38 years, Occ.Business
16. Mothem Srihari, S/o.Yadaiah aged about 26 years, Occ.Business
17. Miryala Rajasekhar, S/o. Laxmaiah aged about 26 years, Occ.Business
18. Parthem Anjaneyulu, S/o.Late Rangaiah aged about 40 years, Occ.Business
19. Chandamma, W/o.Ramchander aged about 40 years, Occ.Business
20. Nidakavi Govind, S/o. Ramchander aged about 29 years, Occ.Business
21. Kallem Prasad, S/o.Yadaiah aged about 28 years, Occ.Business
22. Kallem Prabhakar, S/o.Yadaiah aged about 26 years, Occ.Business
23. M.Laxmamma, W/o. Laxmaiah aged about 46 years, Occ.Business

24. Venkatesh Goud, S/o. Dasu aged about 52 years, Occ. Business All are resident of Budiga Jangala Colony Bhagyakala Nagar Meerpet Village Balapur Mandal Ranga Reddy District.

...PETITIONER/ACCUSED(S)

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature for the State of Telangana at Hyderabad.
2. Kothapet Prabhakar, S/o. Late Ramulu aged about 48 years business R/o. H.No. 9-5-203 Harjan basti, Sultan valve Champapet Saroor Nagar Mandal Ranga Reddy District - 500079

...RESPONDENT/COMPLAINANTS

Petition under Section 437/438/439/482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the F.I.R.No. 44 of 2023 dated 5-1-2023 Meerpet Police Station Rachakonda District and pass

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay of all further proceedings including the F.I.R.No. 44 of 2023 dated 5-1-2023 Meerpet Police Station Rachakonda District and personal appearance of the petitioners pending disposal of the main quash petition and pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G ALLABAKASH ,Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.4018 OF 2023

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners – Accused seeking to quash the FIR No.44 of 2023 pending on the file of Station House Officer, Meerpet Police Station, Rachakonda District. The offences alleged against the petitioners are under Sections 406, 447, 425, 427, 504 and 506 read with 34 of Indian Penal Code.

2. Heard learned counsel for the petitioners – Accused and learned Additional Public Prosecutor for the respondent No.1 – State. Perused the record.

3. The 2nd respondent filed a private complaint alleging that he is the owner of the plot Nos.450, 451 Ac.0-60 Sq.Yards each in Sy.No.119 situated at Meerpet Village Balapur Mandal Ranga Reddy District, and the petitioner allegedly trespassed into the said plots.

4. Learned counsel appearing for the petitioner would submit that the said plots belong to the Government and the question of purchasing the said plots by 2nd respondent does not arise.

5. The above aspects shall be considered by the police while concluding the investigation and since, issue appears to be civil in nature, this Court deems this appropriate to direct the Investigating Officer in FIR No.44 of 2023 pending on the file of Station House Officer, Meerpet Police Station, Rachakonda District to conclude the investigation without taking any coercive steps against the petitioners-Accused. Needless to say, the petitioners-Accused shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

6. Accordingly, the criminal petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

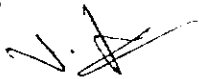
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Sd/- MOHD ISMAIL
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The VI Metropolitan Magistrate at L.B. Nagar, R.R. District.
2. The A.C.P., Vanasthalipuram Division. Rachakonda, R.R. District.
3. The SHO Meerpet P.S., Rachakonda R.R. District.
4. One CC to SRI. G ALLABAKASH Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana (OUT)
6. Two CD Copies



HIGH COURT

DATED:21/04/2023

CRLP.No.4018 of 2023



DISPOSED OFF

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3/5/23