

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7215 OF 2021

O R D E R:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner/A10 to quash the proceedings against him in C.C.No.4278 of 2019 on the file of XI Additional Metropolitan Magistrate at Secunderabad. The offence alleged against the petitioner/A10 is under Sections 120(B), 447, 427 and 506 r/w.34 of the Indian Penal Code.

2. Heard. Perused the record.

3. The defacto complainant filed a report stating that the High Court has given *status quo* orders in respect of certain properties and on 18.08.2019 at 9.30 a.m., 12 persons in collusion, with an intention of grabbing the land entered into the said premises with a JCB. After knowing the information of land grabbing, the complaint was filed.

4. The Police after investigation have found that there was *status quo* order by the High Court and this petitioner and others have criminally trespassed into the premises.

5. Learned Counsel appearing for the petitioner would submit that he is a reporter in HM TV channel and he was present at the scene by chance and he has nothing to do with the other accused who have allegedly criminally trespassed.

6. Such defence taken by the petitioner can be agitated before the trial court. In the proceedings under Section 482 of Cr.P.C., this Court cannot accept the defence of the accused and dismiss the case of the prosecution, when it is specifically mentioned that he was one of the persons who have criminally trespassed with an intention to grab the property. There are no grounds to interfere with the prosecution of this petitioner.

7. Accordingly, the Criminal Petition is dismissed.

Miscellaneous applications pending, if any, shall stand closed.

K.SURENDER, J

Date: 07.02.2023
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Dt. 07.02.2023

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