

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

MONDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:**THE HONOURABLE DR. JUSTICE G.RADHA RANI****IA No. 2 OF 2023****IN****CRLP NO: 10859 OF 2023****Between:**

Sri Gajula Rahul S/o Late G.Lingappa

...Petitioners/Accused

(Petitioner in CRLP 10859 OF 2023

on the file of High Court)

AND

1. The State of Telangana, rep. by the public Prosecutor High Court of Telangana, Hyderabad.
2. Smt.M. Alivelu, W/o Srinivas Raj, Occ. House Wife, R/o. Flat.No.502, H.No.2-3-84, Co-Operative Bank Colony, Nagole, Ranga Reddy Dist.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : SRI S VIPLAV SIMHA REDDY**Counsel for the Respondent No.1 : ASSISTANT PUBLIC PROSECUTOR**

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings in Crime No.624 of 2023 dated 19-10-2023 on the file of Pahadishareef Police Station, Rachakonda, pending disposal of CRLP No. 10859 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondent No.2 herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

**ORDER**

This application is filed by the petitioner - accused to grant stay of all further proceedings including arrest of him in connection with Crime No.624 of 2023 dated 19.10.2023 on the file of the Pahadishareef Police Station, Rachakonda.

Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor for respondent No.1 - State.

The learned counsel for the petitioner submitted that the respondent No.2 lodged a complaint before the Police alleging that the petitioner criminally trespassed into their land and was constructing a room and compound wall in the site of her brother, who was staying in UK and that she was the General Power of Attorney (for short, "GPA") holder for the said land.

The learned counsel for the petitioner further submitted that the petitioner was the title holder of the property purchased vide registered sale deed document No. 8638 of 2022 dated 01.07.2022 from its lawful owners Mohammed Sayeed-Ul-Hassan and three others and the physical possession was delivered to him. The petitioner filed the suit for injunction vide OS No.1316 of 2022 pending on the file of the Principal Junior Civil Judge, Ranga Reddy District, at L.B.Nagar. An injunction order was also passed in favour of the petitioner vide I.A.No.28 of 2022 dated 24.11.2022. The said injunction orders were still in vogue. The petitioner filed a private complaint as against the respondent No.2 herein, which was registered as Crime No 465 of 2022. Later, the said case was closed by the Police as civil in nature. But, the Police were continuously interfering in the civil dispute of the petitioner / accused with that of the complainant. Having no other go, the petitioner was constrained to file Writ Petition No.25673 of 2023. The said Writ Petition was closed directing the Police not to interfere in the civil disputes. The complainant's brother being an IFS Officer was influencing the Police in getting false cases foisted against the petitioner and prayed for grant of stay of all further proceedings.

Considering the submissions of the learned counsel for the petitioner and the copy of the registered sale deed in favour of the



petitioner to an extent of 375 square yards in Survey Nos.44, 45 and 46 situated at Azam Colony, Mamidipally Village, Balapur Revenue Mandal, Ranga Reddy District and the interim injunction order granted in his favour which was extended from time to time in I.A.No.28 of 2022 in O.S.No.1316 of 2022, it is considered a fit case to grant stay of all further proceedings including arrest of the petitioner in connection with Crime No.624 of 2023 dated 19.10.2023 on the file of the Pahadishareef Police Station, Rachakonda till 12.12.2023.

Accordingly, there shall be interim stay as prayed for including arrest of the petitioner till 12.12.2023.

Issue notice to the respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.2 through RPAD and file proof of service of notice.

Post this matter on 12.12.2023

//TRUE COPY//

SD/- B. SARASWATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Junior Civil Judge cum Metropolitan Magistrate, Cyberabad
2. The Station House Officer, Pahadishareef Police Station, Rachakonda
3. Smt.M. Alivelu, W/o Srinivas Raj, Occ. House Wife, R/o. Flat.No.502, H.No.2-3-84, Co-Operative Bank Colony, Nagole, Ranga Reddy Dist.
(By RPAD)
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri S Viplav Simha Reddy Advocate [OPUC]
6. One spare copy



HIGH COURT

DR.GRR,J

DATED:06/11/2023

Post on 12.12.2023



ORDER

**IA NO.2 OF 2023
IN
CRLP.No.10859 of 2023**

INTERIM STAY