

FAIR COPY

IN THE COURT OF THE HON'BLE XII ADDL. CHIEF METROPOLITAN
MAGISTRATE: AT NAMPALLY

C.C.No: OF 2009

Between:

M.C.MODI DISCRETIONARY TRUST
Represented by Trustee
Mr.Soham Modi S/o Sri Satish Modi
At 5-4-187/3 & 4, 3rd floor, Soham Mansion
M.G.Road, Secunderabad, rep. by his
Authorised Signatory Mr.Ramacharyulu
S/o L.Raghavendra Rao
R/o Vanasthalipuram, Hyderabad.

... COMPLAINANT

And

MR.SYED JAVEED S/o S.A.Gani
Aged about 41 years, occ: business,
R/o 11-4-414/1, Red Hills, Hyderabad

... ACCUSED

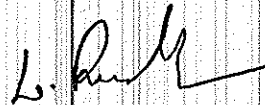
PRIVATE COMPLAINT FILED UNDER SECTION 200 OF CR.P.C.
R/W SECTION 442, 445 & 506 IPC R/W sec 506 Cr.P.C.

The complainant respectfully submits as follows:

1. Name of the Complainant : M.C.Modi Discretionary Trust
Represented by Trustee
Mr.Soham Modi
2. Name of the Accused : Sri Syed Javeed
3. Nature of Offence : 442, 445 and 506 OF I.P.C.
4. Jurisdiction of P.S. : P.S. Nampally
5. List of witnesses : i. The Complainant herein
ii. Mr.Srinivas Reddy employee
of Complainant Trust
6. Facts of the case :

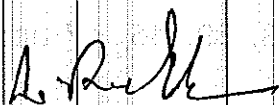
1. a) The Complainant is a Trust represented by its Trustee Mr.Soham Modi.
The trust is the owner of several shops in the building known as "21st
Centenary Commercial Complex", bearing Shop Nos.5-8-112 to 173/2, 3,
34, 35, 36, 37, 38 and 39, 46 to 51, Adjacent to Old Latha Talkies,
Nampally, Hyderabad.

b) The Accused Mr.Syed Javeed and his brother namely Syed Khaleed
obtained six shops bearing Nos.37, 38, 39, 46, 47 and 58 on rent from



the Trust vide Lease Agreement dated 8.10.1998. They have run business in the above shops till 14th October, 2001 and have vacated all the six shops under their occupation and handed over the possession of the above said six shops to the Trust vide their letter dated 14.10.2001. Since then all the above shops are in possession of the Complainant and the Complainant kept the above shops under lock and key and the Complainant is using those shops whenever necessary for its purpose.

- c). The Complainant further submits that on 2.4.2009, the Accused herein broke open the locks of shops bearing Nos.39 and 46 and occupied the above said two shops illegally and thus committed criminal trespass and other offences of the property of the Complainant Trust. This fact came to the knowledge of the Complainant when the Complainant's employee Mr.Srinivas Reddy inspected the premises in his routine duty on 02.04.2009 about 4 p.m. The employee of the Complainant immediately reported the same to the Complainant. The Complainant questioned the accused for his illegal acts, upon which the accused behaved in an intimidating manner and threatened the complainant's staff of dire consequences if they tried to interfere in his illegal acts. The Accused not only refused to vacate the premises but also threatened the Trustee of the Complainant of bodily harm.
- d). The said act of breaking open the locks and illegally entering the premises, without any right, title or interest and refusing to vacate the said premises, and threatening the complainant's staff of dire consequences clearly shows that the Accused has committed House Breaking, Criminal Trespass and Criminal intimidation.



- e) The Complainant approached the P.S. Nampally with regard to the deliberate acts of the Accused, but the police refused to register the case. Hence the complainant is constrained to approach this Hon'ble Court for Justice.
- f). The Complainant left with no other option is approaching this Hon'ble Court to take judicial notice and cognizance of the offences committed by the Accused U/s 442, 445 and 506 of I.P.C. The offences committed by the Accused squarely comes u/s 442 and 445 of I.P.C. Therefore, the Accused is liable to be punished for the offences.
- g). The property in which the Accused committed the above offences is located within the territorial jurisdiction of Nampally P.S. Hence this Hon'ble court has jurisdiction to try this case.

It is, therefore, prayed that this Hon'ble court be pleased to issue summons to Accused U/s 204 of Cr.P.C. by taking cognizance of the above complaint or in the alternative refer the matter to the Station House Officer, Nampally P.S. Hyderabad U/s 156 (3) of Cr.P.C. for investigation.

It is, therefore prayed that this Hon'ble Court may be pleased to punish the Accused for the offences U/s 442, 445 & 506 of I.P.C for House Trespass, House Breaking and Criminal Intimidation and pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

NAMPALLY
Date: 07-05-2009


COMPLAINANT

VERIFICATION

I, L.Ramacharyulu S/o L.Raghavendra Rao, aged 47 years, R/o Vanasthalipuram, Hyderabad Authorised Signatory of Mr.Soham Modi S/o Sri Satish Modi, Aged 36 years, the Trustee of the Complainant herein submit that the facts mentioned above are true and correct to the best of my knowledge and belief. Hence verified.

Hyderabad

Date:07-05-2009


Complainant

LIST OF DOCUMENTS

S.No.	Date	Description of document
1.	08-10-1998	Lease Deed
2.	14.10.2001	Letter of Accused surrendering the Shops
3.	09.04.2009	Complaint to P.S. Nampally
4.	02-05-2009	Authorisation Letter

NAMPALLY
Date: 07-05-2009


Complainant

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XII ADDL. CHIEF METROPOLITAN
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... COMPLAINANT

And

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PRIVATE COMPLAINT FILED UNDER
SECTION 200 OF CR.P.C.
R/W SEC 442, 445, 506 IPC R/W sec
156(3) Cr.P.C.

Filed on: 07-05-2009

Filed by:

Shri C. BALAGOPAL
Smt.Ameerunnisa Begum
K.Vijayasradhi & C.V. Chandramouli
Advocates

Flat No.103, Harivillu Apartments,
Road No.11, West Marredpally,
Secunderabad - 26.
Ph: 64570512

COUNSEL FOR COMPLAINANT