

dc

**FINAL REPORT
(u/s 173 Cr.P.C.)**

**IN THE COURT OF HONOURABLE XII Th ADDL CHIEF METROPOLITAN
MAGISTRATE AT NAMPALLY ; HYDERABAD .**

Honoured sir,

1.	Division Saifabad P.S.Nampally , year 2009	FIR No140./2009
2.	Charge sheet/ Final report No.	/2009
3.	FR dated	01-07-2009
4.	Act	U/s, 442, 445 & 506 I.P.C
5.	Type of Final Form/Report	FR submitted as Civil in Nature
6.	FR UN-occurred: False /MF/NC/CN:	Nil
7.	If charge sheet / original / suupl	Original
8.	Name & rank of the I.O.	
9.	(a)Name of complainant (b) Father's Name	
10.	Details of Properties/articles /documents seized during the investigation and replied upon	--
11.	Particulars of Accused charge sheeted	
12.	Particulars of Accused not charge sheeted	Nil
13.	Particulars of witnesses examined	
	Lw-1: Sri.Mr.Soham Modi S/o Sri Satish Modi R/o. 5-4-187/3 & 4, 3 rd floor, Soham Mansion,M.G. Road, Secunderabad (Complainant) Lw-2: Srinivas Reddy S/o.Chandra Reddy , age 43 years , R/o.H.No.1-7- 513/1/14.Ratna nagar colony, Zaminsthanpur, Musheerabad, Hyderabad .(witness)	
14.	If FIR is false indicate the action taken or proposed to be taken U/s 182/211 IPC	Nil
15.	Result of Laboratory Analysis	Nil
16.	Brief facts of the case	As follows

The brief facts of the case are that on 01-07-2009 at 2030 hours received a court endorsed complaint from Honourable XII ADDL chief Metropolitan Magistrate in which the complainant Sri.Mr.Soham Modi S/o Sri Satish Modi R/o. 5-4-187/3 & 4, 3rd floor, Soham Mansion,M.G. Road, Secunderabad in which he stated that the complainant is a trust represented by its Trustee Mr.soham Modi. The trust is the owner of several shops in the building it is styled 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, Nampally, Hyderabad. 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. the said accused runned their business in the above shops till 14th October, 2001, they have vacated all the six shops and handed over the possession of the above said six shops to the Trust vide their letter dated 14.10.2001. From that day all the above shops are in possession of the complainant and kept the above shops under lock. On 2.04.2009, the accused here in broken 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 knowledge that when the complainant employee Mr.srinivas Reddy inspected the premises in his routing duty 2.4.2009 at 4 pm his employee reported the same to 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 with dire consequences if he 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. The incident of barkeeper the locks by will ness of By Sri.M.A.Addil the occupant of complainant. the said act of braked and 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. Therefore the accused committed an offence punishable U/s 442, 445 and 506 of IPC. And hence he prayed the Honourable court to issue summons to the Accused U/S 204 of Cr.P.C .Hence he is requesting for necessary action.

Basing on the orders of the Honourable court and contents of the above compliant I registered a case in Cr.No.140/2009 U/s 442, 445 & 506 I.P.C and took up the Investigation.

During the course of investigation I issued a notice U/sec 90/160 Cr.P.C. to the complainant with instructions to appear before me along with the witness & documents concerned. On 4-7-2009 the complainant along with witness Lw-2 (Mr.srinivas reddy) came to Police station and submitted some documents . I examined the complainant and Lw-2 and recorded his detailed statement in Part-II of case dairy and secured the documents ,further I also secured the copy of Lease agreement from the alleged accused party After verifying all the documents it came to know that the case is mainly civil in nature . I am intending to this case as Civil in nature.. Obtained Permission from ACP Saifabad to refer this case as Civil in nature.

Hence here with submitting the final report treating as **Civil in nature**. It is prayed to the Hon'ble Magistrate to issue proceedings accordingly .

Sub-Inspector of Police
Nampally P.S.Hyd.

Crmo. Kolas wpe 442445

Crmo. Kolas wpe 442445

POL.B.No.76-A 506

POL.B.No.76-A

506 me.

NOTICE TO COMPLAINANT

NOTICE TO COMPLAINANT

Form No.96
DUPLICATE

Form No.96
DUPLICATE

To,

To,

Mr. Soham Modi

Mr. Soham Modi

8/0 Sri Batish Modi

8/0 Sri Batish Modi

No 5.4.1873 & C

No 5.4.1873 & C

Please take notice that your complaint under
M.C.No. Seelad

Please take notice that your complaint under
M.C.No. Seelad

section 442-445 I.P.C. has been
reported to the Addl Chief class

section 442-445 I.P.C. has been
reported to the Addl Chief class

Magistrate of: 109m pally
Actia dropped civil wals

Magistrate of: 109m pally
Actia dropped civil wals

1) false 2) non-recognizable 3) mistake of fact or

1) false 2) non-recognizable 3) mistake of fact or

law 4) undetectable cases in which investigations
are refused at any stage come under this head

law 4) undetectable cases in which investigations
are refused at any stage come under this head

5) charged on _____ and that if you

5) charged on _____ and that if you

want to oppose this report you will have to do so

want to oppose this report you will have to do so

before the above magistrate with in a week from

before the above magistrate with in a week from

the date of this notice.

the date of this notice.

Station: 109m pally

Station: 109m pally

Date:

Date:

Signature of the Police Officer

Signature of the Police Officer

C.No. 140/2019
of AA2 AA5 & 500 B.Ne.
of 15/10/2019

POL.B.No.76-A

NOTICE TO COMPLAINANT

Form No.96

~~DELEGATE~~

To,

Sri. Sahammadi
Sahab Modi on 5.4/8/3
4, 3rd floor Sahamania
See back

Please take notice that your complaint under

section AA2 AA5 500 I.P.C. has been

reported to the able 111 Addl class

Chief Metropolitan
Magistrate of: Assembly

1) false 2) non-recognizable 3) mistake of fact or
law 4) undetectable cases in which investigations

are refused at any stage come under this head

5) charged on Civil Nature and that if you


want to oppose this report you will have to do so

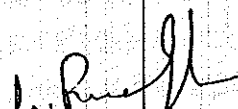
before the above magistrate with in a week from

the date of this notice.

Station:

Date:


Signature of the Police Officer


2/2/10

FINAL REPORT
(u/s 173 Cr.P.C.)

**IN THE COURT OF HONOURABLE XII Th ADDL CHIEF METROPOLITAN
MAGISTRATE AT NAMPALLY ; HYDERABAD .**

Honoured sir,

1.	Division Saifabad P.S.Nampally , year 2009	FIR No140./2009
2.	Charge sheet/ Final report No.	98 /2009
3.	FR dated	01-07-2009
4.	Act	U/s 442, 445 & 506 I.P.C
5.	Type of Final Form/Report	FR submitted as Civil in Nature
6.	FR UN-occurred: False /MF/NC/CN:	Nil
7.	If charge sheet / original / suupl	Original
8.	Name & rank of the I.O.	
9.	(a)Name of complainant (b) Father's Name	Sri.Mr.Soham Modi S/o Sri Satish Modi R/o. 5-4-187/3 & 4, 3 rd floor, Soham Mansion, M.G. Road, Secunderabad
10.	Details of Properties/articles /documents seized during the investigation and replied upon	--
11.	Particulars of Accused charge sheeted	
12.	Particulars of Accused not charge sheeted	Nil
13.	Particulars of witnesses examined	
	Lw-1: Sri.Mr.Soham Modi S/o Sri Satish Modi R/o. 5-4-187/3 & 4, 3 rd floor, Soham Mansion, M.G. Road, Secunderabad (Complainant) Lw-2: Srinivas Reddy S/o.Chandra Reddy , age 43 years , R/o.H.No.1-7- 513/1/14.Ratna nagar colony, Zaminathanpur, Musheerabad, Hyderabad .(witness)	
14.	If FIR is false indicate the action taken or proposed to be taken U/s 182/211 IPC	Nil
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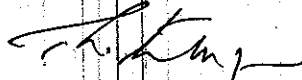
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and thus committed criminal trespass and other offences of the property of the complainant Trust. This fact came to knowledge that when the complainant employee Mr.srinivas Reddy inspected the premises in his routing duty 2.4.2009 at 4 pm his employee reported the same to 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 with dire consequences if he 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. The incident of barkeeper the locks by will ness of By Sri.M.A.Addil the occupant of complainant. the said act of braked and 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. Therefore the accused committed an offence punishable U/s 442, 445 and 506 of IPC. And hence he prayed the Honourable court to issue summons to the Accused U/S 204 of Cr.P.C .Hence he is requesting for necessary action.

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Sub-Inspector of Police
Nampally P.S.Hyd.

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

CRL.M.P.NO. OF 2010

IN

CRIME NO. 140 OF 2009
(P.S.NAMPALLY)

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. ... Petitioner/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. ... Respondent/Accused


PETITION UNDER SECTION 210 R/W 200 OF CR.P.C.

May it please your honour.

The Petitioner/Complainant had filed a private complaint U/s 200 of Cr.P.C. R/w Sections 442, 445 & 506 of I.P.C for House Trespass, House Breaking and Criminal Intimidation and this Hon'ble Court was pleased to refer the same for further investigation by the P.S.Nampally.

The Accused who were tenants in the shops owned by the Complainant in the building known as "21st Century Commercial Complex". The Accused had vacated the shop and the Complainants have put their lock to the premises. On 2.4.2009 the Accused break-open the locks and trespassed into the premises. This is a clear case of criminal trespass and the same was explained to the Police with necessary evidence at the time of investigation by the P.S. authorities. The Police colluded with the Accused and termed the case as civil in nature. The Complainant has got strong documentary evidence to prove its case which was also produced at the time of investigation by the police. It is just proper and necessary to examine the Petitioner and its witnesses and peruse the documentary evidence to take cognizance of the offence and issue process to Accused to try and punish for their offences.

Therefore, it is prayed that this Hon'ble Court may be pleased to ignore the final report of police and the Petitioners evidence recorded and cognizance of the offences be taken against the Accused in the interest of justice.


COUNSEL FOR PETITIONER/COMPLAINANT
NAMPALLY.

Date: 03-03-2010


PETITIONER

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

CRL.M.P.NO. OF 2010
IN

CRIME NO. 140 OF 2009
(P.S.NAMPALLY)

Between:

M.C.MODI DISCRETIONARY TRUST
... PETR/COMPLAINANT

And

Mr.Syed Javeed

...
RESPONDENT/ACCUSED

PETITION UNDER SECTION 210
RW 200 OF CR.P.C.

Filed on: 03-03-2010

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 PETR/COMPLAINANT

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

CRL.M.P.NO. OF 2010

IN
CRIME NO. 140 OF 2009
(P.S.NAMPALLY)

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. ... Petitioner/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. ... Respondent/Accused


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NAMPALLY
Date: 03-03-2010


PETITIONER

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

CRL.M.P.NO. OF 2010
IN

CRIME NO. 140 OF 2009
(P.S.NAMPALLY)

Between:

M.C.MODI DISCRETIONARY TRUST
...
PETR/COMPLAINANT

And

Mr.Syed Javeed
...

RESPONDENT/ACCUSED

PETITION UNDER SECTION 210
RW 200 OF CR.P.C.

Filed on: 03-03-2010

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 PETR/COMPLAINANT

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

CRIME NO. 140 OF 2009
P.S. NAMPALLY, HYDERABAD

Between:

M. C. MODI DISCRETIONARY TRUST,
represented by Trustee
Mr. Soham Modi, S/o. Shri 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.

--- COMPLAINT

And

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

--- ACCUSED

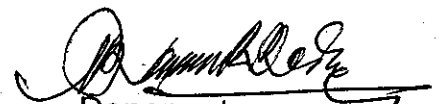
SWORN STATEMENT OF A. SHANKAR REDDY

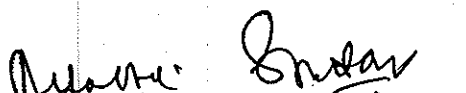
I, A. Shankar Reddy S/o. Sathi Reddy, aged 50 years, R/o. 5-4-187/3 & 4, M. G. Road, Secunderabad do hereby solemnly affirm and state on oath as follows:

1. I am the employee of the complainant herein and as such I am well aware of the facts deposed hereunder.
2. I submit that my colleague Srinivas Reddy had visited the premises bearing Shop no. 5-8-112 to 173/2, 37, 38, 39, 46, 47 and 58 adjacent to old Latha Talkies, Nampally, Hyderabad. In the course of his duties on 02.04.2009 at or about 4 pm he found that the Accused has trespassed into the premises by breaking open the locks of shop nos. 39 & 46 and when he enquired about this act, he was threatened by the accused. He immediately reached our office and informed me regarding the same. I immediately rushed to the premises and found the accused trespassed into the premises.

Hence this sworn statement.

Sworn and signed before me
on this the 21st day of July, 2010
At Hyderabad.


Deponent
A. SHANKAR REDDY


Advocate / Hyderabad


R. N. S. RAO

dlc

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

CRIME NO. 140 OF 2009
P.S. NAMPALLY, HYDERABAD.

Between:

M. C. MODI DISCRETIONARY TRUST
--- COMPLAINANT

And

MR. SYED JAVEED
--- ACCUSED

SWORN STATEMENT OF
A. SHANKAR REDDY

FILED ON: 21.07.2010

Filed by:

Sri. C. BALAGOPAL
Advocate

Flat no. 103, Harivillu Apartments,
Road no. 11, West Maredpally,
Secunderabad - 500 026
Ph. No. 64570512

COUNSEL FOR THE COMPLAINANT

[Faint handwritten notes]

[Faint handwritten notes]

Date: 9-4-2009

From:

Soham Modi
Trustee of M.C.Modi Discretionary Trust
5-4-187/3 & 4 3rd floor, Soham Mansion
M.G.Road
Secunderabad.

To

The Station House Officer
P.S.Nampally
Hyderabad.

Sir,

Sub: Requesting to take action against Sri Syed Javeed S/o S.A.Gani who broke open the locks and criminal trespassed in to the property belonging to the Trust.

I am the Trustee of the M.C.Modi Discretionary Trust and the Trust is the owner of shops in 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.

Mr.Syed Javeed and 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 Trust. The Trust kept the above shops under lock and key and they are using those shops whenever necessary for their purpose.

On 2.4.2009, the above said Syed Javeed S/o S.A.Gani broke open the locks of shops bearing Nos.39 and 46 and occupied the above two shops illegally without any permission from the Trust and thus committed

Contd..2..

: 2 :

criminal trespass and other offences of the property of the Trust. Immediately I demanded them to vacate and handover of the above two shops immediately. They not only refused to vacate the premises but also threatened me to do bodily harm.

I therefore request you to take necessary action against the culprit Mr.Syed Javeed S/o S.A.Gani R/o 11-4-414/1, Red Hills, Hyderabad for illegally trespassing into the shops and threatening me for bodily harm and restore the possession of the two shops Nos.39 and 46 to the Trust.

I am enclosing herewith a copy of letter dated 14.10.2001 by Mr.Syed Khaleed and the Resolution of the Trust empowering me to act as Trustee of M.C.Modi Discretionary Trust for your kind perusal.

Thanking you,

Yours faithfully,

(SOHAM MODI)
Trustee
M.C. Modi Discretionary Trust

Dis No 1736 X 10 Jcm mtd
SUMMONS TO AN ACCUSED PERSON

1219

(Sec. 61 Cr. PC)

IN THE COURT OF THE XII 15 Adde club M. Magistrate
at Hg duseef

C.C. No. 195 of 2010

Between M. C. Modi Dis bulicary Complainant
Trum

AND

Mr. Sajed Javeed Accused

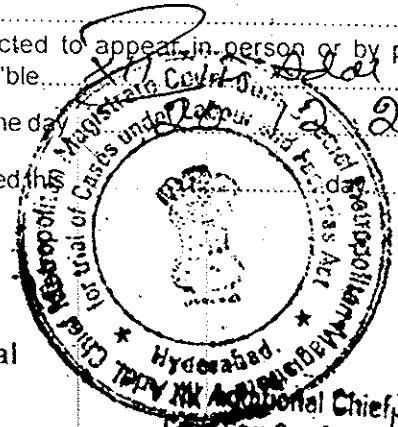
To M. V. Sajed Javeed 820 GA Gau
11-4-414/1, Red Hills,
Hg duseef.

Whereas your attendance is necessary answer to Charge
of 442, 445, 506 of IPC.

..... you are hereby
directed to appear, in person or by pleader, before the
Hon'ble Adde club M. Court
on the day 20 2010 at 10.30 A.M.

Dated this 20 2010

Seal



Adde club M.
Magistrate
2010

Chief Metropolitan Magistrate
Chief Metropolitan Magistrate for trial of
cases under Labour and Factories Act, Hyderabad

बीमा नही **NOT INSURED**

थाये गये डाक टिकटों का मूल्य
Amount of Stamps affixed

एक रजिस्ट्री

Received Registered *

पानेवाले का नाम

Address

₹ 2/- P.

प्राप्त किया

क्रमांक

No.

00

553

तारीख मोहर

Date Stamp

Letter

Mr. Sayed Jameel

Red Hills Ind. Co.

पानेवाले अधिकारी के हस्ताक्षर

Signature of Regular Officer

12-1
5-9

Mr. Syed Javed,
M/s. Asian Agencies,
Shop No. 4, Ground Floor
H. No. 5-8-112 to 173,
21st Century Commercial Complex,
Adjacent to Old Lata Talkies,
Ekminar Road, Nampally,
Hyderabad – 500 001.
Ph. No. 040-307 86 240/ 66 56 22 40
Cell No. 98850- 59194



HYD GPO(MFO) <500001>
FLAD B 86
Counter No:2, CP-Code:GAC
To:SYED JAVED,
HYD, PIN:500001

SUMMONS TO AN ACCUSED PERSON

(Sec. 61 Cr. P.C.)

1232
IN THE COURT OF THE XII 15 Mag

Nampally, H.S. D. U. S. A. S.

C.C. No. 195 of 2010

Wt:20grams,
Amt:28.00 (LFee:Rs.3.00), 02/01/2011 12:31
<<Have a nice day>>

Between: H.S. Modi Disciplinary Education Trust Complainant

AND

Syed Javed Accused

To: Syed Javed Prop: Asstt
Agencies Shop No. 4, ground floor
S-8 - 112 5123, 21st century commercial complex
Near old Tata Tailors Nampally, H.P.O.

Whereas your attendance is necessary answer to Charge
of 442, Trespass, 445, 506 of IPC

you are hereby directed to appear in person or by pleader before the
Hon'ble XII 15 M. M. Court

on the day 18-1-2011 10.30 A.M.

Dated this day

Seal

XII Additional Chief Magistrate
Court-Cum-Special Metropolitan Magistrate for trial of
Cases under Labour and Factories Act, Hyderabad.

भारतीय डाक



India Post

HYD (FO(NFO) <500001>

RLAD B 86

Counter No:2,OP-Code:GAC

To:SYED JAVED,

HYD. PIN:500001

Wt:20grams,

Amt:28.00 (LFee:Rs.3.00), 02/01/2011 12:31

<<Have a nice day>>