

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.26710 of 2015

and M.P.No.1 of 2015

M.K.Uma Devi

... Petitioner

Vs

1.State, rep. by its
The Inspector of Police,
G.7, Acharapakkam Police Station,
Kancheepuram District.

2.Dr.D.Kathirvel

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records pertaining to the records in FIR in
Crime No.570 of 2014 on the file of the first respondent and
quash the same.

For Petitioner : Mr.K.Kumaresan

For Respondents : Mr.C.Emalias,

Addl. Public Prosecutor, for R.1

ORDER

The present criminal original petition has been filed
to call for the records pertaining to the records in FIR in
Crime No.570 of 2014 on the file of the first respondent and
quash the same.

2. The petitioner has been arrayed as A.2. It is the
case of prosecution that the petitioner is a Nurse working in
Primary Health Centre, Acharapakkam at Kancheepuram District.
When the Directorate of Public Health and Preventive
Investigation team has investigated the petitioner's office, it
came to know that unaccounted amount of Rs.20,64,618/- is being
credited in the name of one S.Pandian (A.1), who is the office
Superintendent during the period from 1.4.2012 to 31.7.2014.
Similarly, the petitioner, who is Village Health Nurse working
in Baburayanpettai, opened an account in Indian Overseas Bank at
Maduranthagam Branch in fake names. Hence, a case was
registered in Crime No.570 of 2014 on the file of the first

respondent police for the offence punishable under Sections 405, 409, 419, 468 and 420 I.P.C.

3. Learned counsel appearing for the petitioner submitted that even prior to the registering of the First Information Report, the petitioner has settled a sum of Rs.1,56,000/- on 15.12.2014 and a sum of Rs.80,000/- and Rs.60,000/- on 10.10.2014. Thus, he sought for quashing the proceedings in Crime No.570 of 2014 pending on the file of the first respondent.

4. However, I am of the considered opinion that the scope of Section 482 Cr.P.C. to quash the first information report is very limited, since the investigation is not yet completed. Hence, I am of the opinion that the present OP is a pre-mature one. However, the petitioner is at liberty to approach this Court after filing final report by the respondent police.

5. In fine, the criminal original petition is dismissed. However, the petitioner is at liberty to work out her remedy after filing of the final report. The first respondent is directed to complete the investigation and file a final report as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

Sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sbi

To

1.The Inspector of Police,
G.7, Acharapakkam Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.K.Kumaresan Advocate. SR.NO. 61932

Cr1.O.P.No.26710 of 2015

CO-SKV
JD 08/12/2015