

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27727 of 2015 &  
M.P.No.1 of 2015

Dhanapal

... Petitioner

Vs

1.The Inspector of Police,  
G-10 Aanaikattu Police Station,  
Boungur,  
Kancheepuram District.

2. A.Devasagayam ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records from the first respondent and quash the First Information Report in Crime No.151 of 2015 on the file pending on the file of the first respondent, G-10 Aanaikattu Police Station, Boungur, Kancheepuram District.

For Petitioner : Mr.T.G.Brusly Gopal

For first respondent : Mr.C.Emalias  
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to call for the records from the first respondent and quash the First Information Report in Crime No.151 of 2015 on the file pending on the file of the first respondent

2. The case of the petitioner is that when the petitioner and his family members visited his daughter's house on 26.07.2015, the petitioner and his family members were brutally attacked by the petitioner's son-in-law. Immediately, they have been admitted in the hospital and reported the same to the second respondent. The second respondent received the complaint from the petitioner and registered the same in Crime No.150 of 2015 for offences under sections 294(b), 323, 324 and 506(ii) IPC. Thereafter, the second respondent received a complaint from the accused persons which contained false allegations and registered a case in Crime No.151 of 2015 as against the petitioner for the offences under sections 294(b)

and 323 IPC. Now the present petition has been filed to quash the same.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that it is a case in counter and the investigation in both the complaints is in progress and after completion of investigation, final reports will be filed by the respondent police.

4. Considering the fact that the investigation is pending in both the cases, I am of the considered opinion that the scope of Section 482 Cr.P.C. to quash the first information report is very limited. Hence, I am of the opinion that the present Original Petition is a pre-mature one and I am not inclined to entertain this petition. However, the petitioner is at liberty to approach this Court after filing final report by the respondent police.

4. In fine, the criminal original petition is dismissed. However, the petitioner is at liberty to work out his remedy after filing of the final report. Consequently, the miscellaneous petition is closed.

Sd/-  
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

vrc

To

1.The Inspector of Police,  
G-10 Anaikattu Police Station,  
Boungur,  
Kancheepuram District.

2. The Public Prosecutor,  
High Court, Madras.

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kji co  
kra 11.12.2015