

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28932 of 2015

and M.P.No.1 of 2015

N.Ganaprakasam

... Petitioner/Accused No.6

Vs

1.The State rep. by
Inspector of Police,
District Crime Branch (D.C.B.)
Nagapattinam District.

2.S.Sundaram ... Respondents/Complainant & Defacto
Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records pertaining to the F.I.R. in Crime No.10 of
2009 on the file of the first respondent police and quash the same.

For Petitioner : Mr.B.Sundarapandiyan
For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor for R1

ORDER

The present criminal original petition has been filed to
call for the records pertaining to the F.I.R. in Crime No.10 of 2009
on the file of the first respondent police and quash the same.

2. The case in Crime No.10 of 2009 has been registered
against the petitioner based on the complaint given by the second
respondent herein for the alleged offence punishable under Sections
419, 464 and 420 I.P.C. To quash the same, the present criminal
original petition has been filed.

3. However, I am of the considered opinion, the scope of
Section 482 Cr.P.C. to quash the first information report is very
limited. The first information report can be quashed only if the
allegations made in the complaint do not constitute any offence or if
there is any legal flaw. By applying the said legal principles, I do
not find any valid ground to quash the first information report
pending in Crime No.10 of 2009. Hence, I am not inclined to
entertain the present petition.

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. The first respondent is directed to complete the investigation and file a final report as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

sbi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

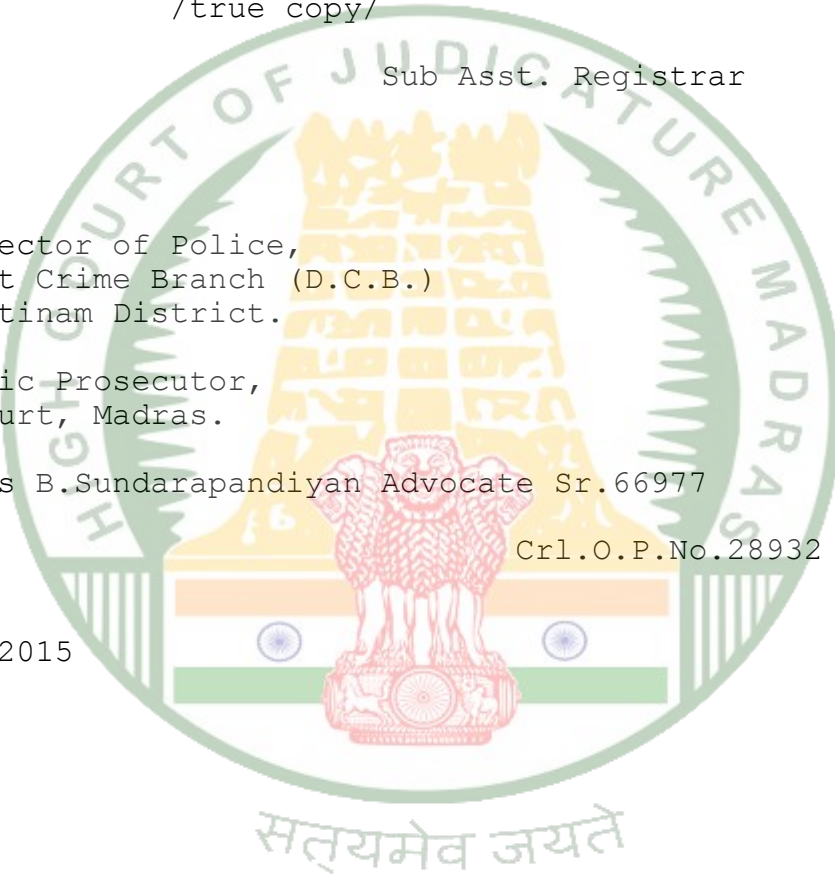
1.The Inspector of Police,
District Crime Branch (D.C.B.)
Nagapattinam District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to M/s B.Sundarapandiyar Advocate Sr.66977

Cr1.O.P.No.28932 of 2015

SR(CO)
RVR 30/12/2015



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