

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.29694 of 2015

And

M.P.No.1 of 2015

1.D.Karthik
2.S.Muthukumaran
3.V.Mahendiran
4.Mahendiran

... Petitioners

Vs.

1.State of Tamil Nadu,
rep. by Inspector of Police,
Edaikkal Police Station,
Ulundurpet Taluk,
Villupuram District.

2.K.Mani

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records to quash the FIR in Crime No.17 of 2015 on the file of the Inspector of Police, Edaikkal Police Station, Ulundurpet Taluk, Villupuram District as against the petitioners.

For Petitioners : Mr.S.Giritharan

For Respondents : Mr.C.Emalias for R1

Additional Public Prosecutor

ORDER

This petition is filed praying to call for the records to quash the FIR in Crime No.17 of 2015 on the file of the Inspector of Police, Edaikkal Police Station, Ulundurpet Taluk, Villupuram District as against the petitioners.

2.The petitioners are the accused in Crime No.17 of 2015 registered on 04.02.2015 for the offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC. The complaint was lodged by the defacto complainant who is one of the accused in the counter case registered in Crime No.16 of 2015 on 04.02.2015

for the offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC.

3.Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioners submitted that the defacto complainant has made false allegations in the FIR and hence, he sought for quashing of the FIR.

4.Heard the learned Additional Public Prosecutor.

5.The petitioners have approached this Court for quashing of FIR when investigation is under progress. Hence, in my considered opinion, the scope of quashing the FIR is very narrow. Therefore, I am of the opinion that the present petition is pre-mature in nature. Hence, at this juncture, this petition cannot be entertained and this Criminal Original Petition is dismissed. However, this Court directs the respondent police to expedite the investigation in Crime No.17 of 2015 and also in Crime No.16 of 2015, complete the same and file final report in Crime No.17 of 2015 and also in Crime No.16 of 2015, as early as possible, preferably within a period of four months from the date of receipt of a copy of this order. The petitioners are at liberty to approach this Court after filing of the final report. Consequently, the connected miscellaneous petition is closed.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

pri

To

1.The Inspector of Police,
Edaikkal Police Station,
Ulundurpet Taluk,
Villupuram District.

2.The Public Prosecutor
High Court, Madras.

+1 CC to MR.S.Giridharan Advocate. SR.NO. 67284

Crl.O.P.No.29694 of 2015 And
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CO-RSK
JD 30/12/2015