IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.29872 of 2015

R.Murugesan ... Petitioner

Vs.

The Inspector of Police,
Namakkal Police Station,
Namakkal
Cr.No.1304 / 2009 ... Respondent

Prayer :
Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records from the respondent herein relating to FIR registered in Crime No.1304 of 2009 on the file of Namakkal Police Station, Namakkal and quash the same.

For Petitioner : Mr.V.Venkkatasamy
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed praying to call for the records from the respondent herein relating to FIR registered in Crime No.1304 of 2009 on the file of Namakkal Police Station, Namakkal and quash the same.

2.The petitioner is the accused in Crime No.1304 of 2009 registered on 21.07.2009 for the offence punishable under Sections 420, 464 and 465 of IPC. The complaint was lodged by the Revenue Divisional Officer, Namakkal/ defacto complainant as against the petitioner.

3.Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioner submitted that the case in Crime No.1304 of 2009 is pending for the past six years, but till date the investigation has not been commenced. Further, he submitted that the allegations made in the complaint do not constitute any offence punishable under Section 420 of IPC and thus, he sought for quashing of the FIR.

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4.Heard the learned Additional Public Prosecutor.

5.The petitioner has approached this Court for quashing of FIR when investigation is under progress. Hence, in the considered opinion of this Court, the scope for quashing the FIR is very narrow and the present petition is pre-mature in nature. At this juncture, this Court is not inclined to entertain this petition and hence, this Criminal Original Petition is dismissed. However, this Court directs the respondent police to expedite the investigation, complete the same and file final report within a period of two months from the date of receipt of a copy of this order. The petitioner is at liberty to approach this Court after filing of the final report.

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-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
   Namakkal Police Station,
   Namakkal
   Cr.No.1304 of 2009

2. The Public Prosecutor
   High Court, Madras.

+ 1 cc to Mr.V.Venkatasamy, Advocate SR 67874

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