

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.13063 of 2015

1.P.John
2.Y.Ezekia Ponraj
3.S.Kokila
4.S.Sathish Kumar ... Petitioners

Vs

1.State rep. By:
The Inspector of Police,
Mamallapuram Police Station,
Mamallapuram,
Kancheepuram District 603 104.
(Cr.No.43/2015)
2.M.Balamuthu ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records in Cr.No.43/2015 on the file of the Inspector of Police, Mamallapuram Police Station, Mamallapuram, Kancheepuram District, the first respondent herein, quash the First Information Report in the same.

For Petitioners : Mr.J.I.Rajkumar Roberts
For Respondents : Mr.M.Mohamed Riyaz,
Government Advocate(crl.side)

सत्यमेव जयते

O R D E R

The present criminal original petition has been filed to call for the records in Cr.No.43 of 2015 on the file of the first respondent police herein and to quash the First Information Report.

2.The case in Crime No.43 of 2015 has been registered against the petitioners based on the complaint given by one M.Balamuthu-the second respondent herein for the alleged offence punishable under Section 174 Cr.P.C., on 30.01.2015 and subsequently it was altered into Section 306 I.P.C. To quash the same, the present criminal original petition has been filed.

3. 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 original petition is a pre-mature one. However, the petitioners are at liberty to approach this Court, after filing final report by the first respondent-police.

4. In fine, the criminal original petition is dismissed. However, the petitioners are at liberty to work out their 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 also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ari

To

1.The Inspector of Police,
Mamallapuram Police Station,
Mamallapuram,
Kancheepuram District 603 104.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.I. Rajkumar, Advocate, S.R.No.7816

VS(CO)
EU(22/01/2016)

WEB COPY

Cr1.O.P.No.13063 of 2015